

**CONFERENCE AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133**

October 5, 1999 – Offered by COMMITTEE OF CONFERENCE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 5: delete lines 5 and 6 and substitute:

3 “(2) Each state agency, where applicable and consistent with other laws, is
4 encouraged to design its programs, policies, infrastructure and investments of the
5 agency to reflect a balance between the mission of the agency and the following local,
6 comprehensive planning goals.”.

7 **2.** Page 4, line 16: delete lines 16 and 17 and substitute:

8 “(h) Building of community identity by revitalizing main streets and enforcing
9 design standards.”.

10 **3.** Page 4, line 24: after “opportunities” insert “at the state, regional and local
11 levels”.

12 **4.** Page 5, line 2: after that line insert:

1 “(n) Providing an integrated, efficient and economical transportation system
2 that affords mobility, convenience and safety and that meets the needs of all citizens,
3 including transit-dependent and disabled citizens.”.

4 **5.** Page 5, line 6: delete “applicable” and substitute “practical”.

5 **6.** Page 6, line 7: after that line insert:

6 “**SECTION 1js.** 13.093 (1) of the statutes is amended to read:

7 13.093 **(1)** All bills introduced in either house of the legislature for the
8 appropriation of money, providing for revenue or relating to taxation or that require
9 a correctional fiscal estimate under sub. (3) shall be referred to the joint committee
10 on finance before being passed.

11 **SECTION 1jt.** 13.093 (2) (c) of the statutes is repealed.

12 **SECTION 1ju.** 13.093 (3) and (4) of the statutes are created to read:

13 13.093 **(3)** (a) All bills introduced in either house of the legislature that create
14 a criminal offense for which a sentence to a state prison or a disposition of placement
15 in a juvenile correctional facility may be imposed, that increase the period of
16 imprisonment in a state prison or placement in a juvenile correctional facility for an
17 existing criminal offense, that require a person to be sentenced to imprisonment in
18 a state prison or a juvenile to be placed in a juvenile correctional facility, or that
19 otherwise affect a penalty provision that increases the statewide probation, parole
20 or extended supervision population shall incorporate a correctional fiscal estimate
21 before any vote is taken thereon by either house of the legislature, if the bill is not
22 referred to a standing committee, before any public hearing is held before a standing
23 committee or, if no public hearing is held, before any vote is taken by the standing
24 committee. The correctional fiscal estimate shall estimate the anticipated state

1 fiscal liability for correctional capital and operational costs under the bill including
2 a projection of such costs for the fiscal year in which the bill becomes effective and
3 the 9 succeeding fiscal years. Correctional fiscal estimates shall be prepared as
4 follows:

5 1. The departments or agencies required to prepare the correctional estimate
6 shall submit to the legislative fiscal bureau projections of the impact on statewide
7 probationer, prisoner, parolee, extended supervision and juvenile corrections
8 populations, an estimate of the fiscal impact of such population changes on state
9 expenditures and a statement of the methodologies and assumptions used in making
10 the population projections and estimates of fiscal impact. In preparing this
11 information, a department or agency may request information from other
12 departments or agencies. If a specific estimate cannot be determined, the
13 departments or agencies shall provide an estimated cost range. The departments or
14 agencies shall submit this information to the legislative fiscal bureau within 5
15 working days after the departments or agencies receive a copy of the bill.

16 2. The legislative fiscal bureau shall review the information received from the
17 departments or agencies under subd. 1. The legislative fiscal bureau shall consult
18 with the departments or agencies from which information was received under subd.
19 1. and the departments or agencies shall provide information as requested by the
20 legislative fiscal bureau as necessary to complete the review. Such review shall be
21 completed within 5 working days from the date the legislative fiscal bureau receives
22 the information under subd. 1.

23 3. The departments or agencies preparing information under subd. 1. shall
24 prepare a correctional fiscal estimate and submit it to the legislative reference
25 bureau and the legislative fiscal bureau within 3 working days after the date the

1 legislative fiscal bureau's review period under subd. 2. ends. If a department or
2 agency cannot make a specific estimate, the department or agency shall establish
3 assumptions, including population estimates, that allow a projection to be made and
4 provide an estimated cost range.

5 4. The legislative fiscal bureau shall prepare a statement of its review of the
6 correctional fiscal estimate and submit it to the legislative reference bureau within
7 2 working days after receiving the correctional fiscal estimate.

8 (b) The legislature shall reproduce and distribute correctional fiscal estimates
9 under par. (a) 3. and statements under par. (a) 4. in the same manner as it reproduces
10 and distributes amendments.

11 (c) The legislative reference bureau shall determine whether a bill draft
12 requires a correctional fiscal estimate. A bill draft that requires a correctional fiscal
13 estimate under this subsection shall have that requirement noted on its jacket when
14 the jacket is prepared. When a bill that requires a correctional fiscal estimate under
15 this subsection is introduced, the legislative reference bureau shall submit a copy of
16 the bill to the legislative fiscal bureau and the department of administration.

17 **(4)** Neither house of the legislature may vote on an amendment to the executive
18 budget bill or bills introduced under s. 16.47 if the amendment meets the criteria of
19 a bill that requires a correctional fiscal estimate under sub. (3) unless the only
20 provisions in the amendment are identical to the provisions of an introduced bill for
21 which the requirements under sub. (3) have been met.”.

22 **7.** Page 8, line 3: delete lines 3 to 9.

23 **8.** Page 8, line 15: delete lines 15 to 25 and substitute:

24 **“SECTION 3d.** 13.48 (19) of the statutes is amended to read:

1 **13.48 (19)** ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building
2 commission determines that the use of innovative types of design and construction
3 processes will make better use of the resources and technology available in the
4 building industry, the building commission may waive any or all of s. 16.855 if such
5 action is in the best interest of the state and if the waiver is accomplished through
6 formal action of the building commission. The Subject to the requirements of s.
7 20.924 (1) (j), the building commission may authorize the lease, lease purchase or
8 acquisition of such facilities constructed in the manner authorized by the building
9 commission. The building commission may also authorize the lease, lease purchase
10 or acquisition of existing facilities in lieu of state construction of any project
11 enumerated in the authorized state building program.”.

12 **9.** Page 9, line 1: delete lines 1 to 9.

13 **10.** Page 11, line 1: delete lines 1 to 8 and substitute:

14 “**13.48 (27)** LEASE OF CORRECTIONAL FACILITIES. The Subject to the requirements
15 of s. 20.924 (1) (im) and (j), the building commission may lease any facility for use of
16 the department of corrections as a part of the authorized state building program,
17 with an option to purchase the facility by the state. Any lease shall provide for the
18 facility to be constructed in accordance with requirements and specifications
19 approved by the department of administration and shall permit inspection of the site
20 and facility by agents of the department.”.

21 **11.** Page 11, line 14: delete the material beginning with that line and ending
22 with page 13, line 16.

23 **12.** Page 15, line 13: after that line insert:

24 “**SECTION 3im.** 13.48 (33) of the statutes is created to read:

1 **13.48 (33)** SWISS CULTURAL CENTER. (a) The building commission may authorize
2 up to \$1,000,000 in general fund supported borrowing to aid in the construction of
3 a Swiss cultural center in the village of New Glarus. The state funding commitment
4 under this paragraph shall be in the form of a grant to an organization known as the
5 Swiss Cultural Center. Before approving any such state funding commitment, the
6 building commission shall determine that the organization known as the Swiss
7 Cultural Center has secured additional funding at least equal to \$2,000,000 from
8 nonstate donations for the purpose of constructing a Swiss cultural center in the
9 village of New Glarus.

10 (b) If the building commission authorizes a grant to the organization known as
11 the Swiss Cultural Center under par. (a) and if, for any reason, the facility that is
12 constructed with funds from the grant is not used as a Swiss cultural center in the
13 village of New Glarus, the state shall retain an ownership interest in the facility
14 equal to the amount of the state's grant.”.

15 **13.** Page 15, line 13: after that line insert:

16 **“SECTION 3ip.** 13.48 (34) of the statutes is created to read:

17 **13.48 (34)** DEBT INCREASE FOR THE CONSTRUCTION OF A YOUTH ACTIVITIES CENTER
18 BY THE MILWAUKEE POLICE ATHLETIC LEAGUE. (a) The legislature finds and determines
19 that preventing youth from engaging in delinquent behavior, encouraging positive
20 moral development in youth and providing youth with opportunities for positive
21 interaction with the police are statewide responsibilities of statewide dimension.
22 The legislature also finds and determines that the youth of the city of Milwaukee are
23 disproportionately represented in the state's juvenile correctional system and that,
24 because those youth are so disproportionately represented, the state has a specific

1 concern in preventing those youth from engaging in delinquent behavior,
2 encouraging positive moral development in those youth and providing those youth
3 with opportunities for positive interaction with the police. In addition, the
4 legislature finds and determines that the Milwaukee Police Athletic League
5 prevents that delinquent behavior, encourages that positive moral development and
6 provides those opportunities for positive interaction through the recreational,
7 educational, social and cultural activities that it provides for the youth of the greater
8 Milwaukee community. The legislature, therefore, finds and determines that
9 assisting the Milwaukee Police Athletic League in the construction of a youth
10 activities center at which the Milwaukee Police Athletic League will provide
11 recreational, educational, social and cultural activities for the youth of the greater
12 Milwaukee community under the supervision of volunteer police officers of the city
13 of Milwaukee will have a direct and immediate effect on that specific statewide
14 concern and on those state responsibilities of statewide dimension.

15 (b) The building commission may authorize up to \$1,000,000 in general fund
16 supported borrowing to aid in the construction of a youth activities center by the
17 Milwaukee Police Athletic League at the northeast corner of N. 24th Street and
18 Burleigh Street in the city of Milwaukee. The state funding commitment for the
19 construction of the center shall be in the form of a grant to the Milwaukee Police
20 Athletic League. Before approving any state funding commitment for the center, the
21 building commission shall determine that the Milwaukee Police Athletic League has
22 secured additional funding at least equal to \$4,074,000 from nonstate donations for
23 the purpose of constructing the youth activities center.

24 (c) If the building commission authorizes a grant to the Milwaukee Police
25 Athletic League under par. (b) and if, for any reason, the facility that is constructed

1 with funds from the grant is not used as a youth activities center, the state shall
2 retain an ownership interest in the facility equal to the amount of the state's grant.”.

3 **14.** Page 17, line 19: after that line insert:

4 “**SECTION 3mj.** 13.63 (1) (a) of the statutes is amended to read:

5 13.63 (1) (a) An application for a license to act as a lobbyist may be obtained
6 from and filed with the board. ~~An~~ Except as authorized under par. (am), an applicant
7 shall include his or her social security number on the application. The application
8 shall be signed, under the penalty for making false statements under s. 13.69 (6m),
9 by the lobbyist. Upon approval of the application and payment of the applicable
10 license fee under s. 13.75 (1) or (1m) to the board, the board shall issue a license which
11 entitles the licensee to practice lobbying on behalf of each registered principal who
12 or which has filed an authorization under s. 13.65 for that lobbyist and paid the
13 authorization fee under s. 13.75 (4). The license shall expire on December 31 of each
14 even-numbered year.

15 **SECTION 3mk.** 13.63 (1) (am) of the statutes is created to read:

16 13.63 (1) (am) If an individual who applies for a license under this section does
17 not have a social security number, the individual, as a condition of obtaining that
18 license, shall submit a statement made or subscribed under oath or affirmation to the
19 board that the individual does not have a social security number. The form of the
20 statement shall be prescribed by the department of workforce development. A
21 license issued in reliance upon a false statement submitted under this paragraph is
22 invalid.

23 **SECTION 3mL.** 13.63 (1) (b) of the statutes is amended to read:

1 13.63 (1) (b) The Except as provided under par. (am), the board shall not issue
2 a license to an applicant who does not provide his or her social security number. The
3 board shall not issue a license to an applicant or shall revoke any license issued to
4 a lobbyist if the department of revenue certifies to the board that the applicant or
5 lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to
6 issue a license or shall suspend any existing license for failure of an applicant or
7 licensee to pay court-ordered payments of child or family support, maintenance,
8 birth expenses, medical expenses or other expenses related to the support of a child
9 or former spouse or failure of an applicant or licensee to comply, after appropriate
10 notice, with a subpoena or warrant issued by the department of workforce
11 development or a county child support agency under s. 59.53 (5) and related to
12 paternity or child support proceedings, as provided in a memorandum of
13 understanding entered into under s. 49.857. No other application may be
14 disapproved by the board except an application for a license by a person who is
15 ineligible for licensure under this subsection or s. 13.69 (4) or an application by a
16 lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only
17 for the period of such ineligibility or revocation.

18 **SECTION 3mm.** 13.64 (1) (a) of the statutes is amended to read:

19 13.64 (1) (a) If the principal is an individual, the name and address of the
20 individual's employer, if any, or the individual's principal place of business if
21 self-employed, a description of the business activity in which the individual or the
22 individual's employer is engaged and, except as authorized in sub. (2m), the
23 individual's social security number.

24 **SECTION 3mn.** 13.64 (2) of the statutes is amended to read:

1 13.64 (2) The registration shall expire on December 31 of each even-numbered
2 year. The Except as provided in sub. (2m), the board shall refuse to accept a
3 registration statement filed by an individual who does not provide his or her social
4 security number. The board shall refuse to accept a registration statement filed by
5 an individual or shall suspend any existing registration of an individual for failure
6 of the individual or registrant to pay court-ordered payments of child or family
7 support, maintenance, birth expenses, medical expenses or other expenses related
8 to the support of a child or former spouse or failure of the individual or registrant to
9 comply, after appropriate notice, with a subpoena or warrant issued by the
10 department of workforce development or a county child support agency under s.
11 59.53 (5) and related to paternity or child support proceeding, as provided in a
12 memorandum of understanding entered into under s. 49.857. If all lobbying by or
13 on behalf of the principal which is not exempt under s. 13.621 ceases, the board shall
14 terminate the principal's registration and any authorizations under s. 13.65 as of the
15 day after the principal files a statement of cessation and expense statements under
16 s. 13.68 for the period covering all dates on which the principal was registered.
17 Refusal to accept a registration statement or suspension of an existing registration
18 pursuant to a memorandum of understanding under s. 49.857 is not subject to review
19 under ch. 227.

20 **SECTION 3mo.** 13.64 (2m) of the statutes is created to read:

21 13.64 (2m) If an individual who applies for registration under this section does
22 not have a social security number, the individual, as a condition of obtaining
23 registration, shall submit a statement made or subscribed under oath or affirmation
24 to the board that the individual does not have a social security number. The form of
25 the statement shall be prescribed by the department of workforce development. A

1 registration accepted in reliance upon a false statement submitted under this
2 subsection is invalid.”.

3 **15.** Page 19, line 12: after that line insert:

4 “**SECTION 4m.** 13.94 (1) (p) of the statutes is created to read:

5 13.94 (1) (p) No later than January 1, 2008, prepare a program evaluation audit
6 of the private employer health care coverage program established under subch. X of
7 ch. 40. The legislative audit bureau shall file a copy of the audit report under this
8 paragraph with the distributees specified in par. (b).

9 **SECTION 4r.** 13.94 (1) (p) of the statutes, as created by 1999 Wisconsin Act
10 (this act), section 4m, is repealed.”.

11 **16.** Page 20, line 10: after that line insert:

12 “**SECTION 6g.** 13.94 (8) of the statutes is created to read:

13 13.94 (8) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. (a) In this subsection,
14 “municipality” means a city, village or town.

15 (b) The state auditor shall undertake periodic reviews to:

16 1. Examine the procedures and practices used by counties and municipalities
17 to deliver governmental services.

18 2. Determine the methods of governmental service delivery.

19 3. Identify variations in costs and effectiveness of such services between
20 counties and municipalities.

21 4. Recommend practices to save money or provide more effective service
22 delivery.

23 (c) The state auditor shall determine the frequency, scope and subject of any
24 reviews conducted under par. (b).

(d) To assist the state auditor with the selection of county and municipal practices to be reviewed by the auditor, the auditor shall establish an advisory council consisting of the following members appointed by the auditor:

1. Two members chosen from among 6 names submitted by the Wisconsin Counties Association.

2. One member chosen from among 3 names submitted by the League of Wisconsin Municipalities.

3. One member chosen from among 3 names submitted by the Wisconsin Alliance of Cities.

4. One member chosen from among 3 names submitted by the Wisconsin Towns Association.

(e) The members of the council appointed under par. (d) shall serve without compensation.”.

17. Page 20, line 10: after that line insert:

“**SECTION 7m.** 14.035 of the statutes is renumbered 14.035 (1) and amended to read:

14.035 (1) The Subject to sub. (2), the governor may, on behalf of this state, enter into any compact that has been negotiated under 25 USC 2710 (d).

SECTION 7n. 14.035 (2) of the statutes is created to read:

14.035 (2) Before entering into any compact negotiated under sub. (1), the governor shall submit the proposed compact to the legislature for approval. The governor may not enter into any compact until the legislature approves the compact by joint resolution. If the legislature does not approve without change the proposed compact, the proposed compact shall be returned to the governor for renegotiation.

1 **SECTION 7q.** 14.037 of the statutes is created to read:

2 **14.037 Indian gaming on lands taken into trust after October 17, 1988.**

3 The governor may not concur with the determination of the U.S. secretary of the
4 interior, as described in 25 USC 2719 (b) (1) (A), that an Indian gaming
5 establishment proposed to be located on lands acquired by the U.S. secretary of the
6 interior in trust for the benefit of an Indian tribe after October 17, 1988, except an
7 Indian gaming establishment proposed to be located at Dairyland Greyhound Park,
8 would not be detrimental to the surrounding community unless the legislature
9 approves the proposed gaming establishment by joint resolution.”.

10 **18.** Page 20, line 15: delete lines 15 to 19 and substitute:

11 **“14.18 Assistance from department of workforce development.** The
12 governor may enter into a cooperative arrangement with the department of
13 workforce development under which the department assists the governor in
14 providing temporary assistance for needy families under 42 USC 601 et. seq.”.

15 **19.** Page 21, line 4: after that line insert:

16 **“SECTION 11p.** 14.26 (7) of the statutes is created to read:

17 **14.26 (7)** Notwithstanding sub. (6), the secretary of administration may
18 expend from the appropriation under s. 20.505 (1) (s) for the payment of obligations
19 incurred by the Wisconsin sesquicentennial commission that remain unpaid as of the
20 effective date of this subsection [revisor inserts date].”.

21 **20.** Page 22, line 10: after that line insert:

22 **“SECTION 13m.** 15.03 of the statutes is amended to read:

23 **15.03 Attachment for limited purposes.** Any division, office, commission,
24 council or board attached under this section to a department or independent agency

1 or a specified division thereof shall be a distinct unit of that department, independent
2 agency or specified division. Any division, office, commission, council or board so
3 attached shall exercise its powers, duties and functions prescribed by law, including
4 rule making, licensing and regulation, and operational planning within the area of
5 program responsibility of the division, office, commission, council or board,
6 independently of the head of the department or independent agency, but budgeting,
7 program coordination and related management functions shall be performed under
8 the direction and supervision of the head of the department or independent agency,
9 except that with respect to the office of the commissioner of railroads, all personnel
10 and biennial budget requests by the office of the commissioner of railroads shall be
11 provided to the department of transportation as required under s. 189.02 (7) and
12 shall be processed and properly forwarded by the public service commission without
13 change except as requested and concurred in by the office of the commissioner of
14 railroads.”.

15 **21.** Page 22, line 11: delete lines 11 to 18.

16 **22.** Page 22, line 14: after that line insert:

17 “**SECTION 14c.** 15.07 (1) (b) 19. of the statutes is repealed.”.

18 **23.** Page 22, line 14: after that line insert:

19 “**SECTION 14g.** 15.07 (1) (a) 7. of the statutes is created to read:

20 15.07 (1) (a) 7. The members of the Milwaukee school construction board shall
21 be appointed as provided in s. 15.77.”.

22 **24.** Page 22, line 18: after that line insert:

23 “**SECTION 14p.** 15.07 (1) (b) 22. of the statutes is created to read:

24 15.07 (1) (b) 22. Private employer health care coverage board.

1 **SECTION 14r.** 15.07 (1) (b) 22. of the statutes, as created by 1999 Wisconsin Act
2 (this act), section 14p, is repealed.”.

3 **25.** Page 22, line 21: after that line insert:

4 **“SECTION 15m.** 15.07 (4) of the statutes is amended to read:

5 15.07 (4) QUORUM. A majority of the membership of a board constitutes a
6 quorum to do business and, unless a more restrictive provision is adopted by the
7 board, a majority of a quorum may act in any matter within the jurisdiction of the
8 board. This subsection does not apply to actions of the ethics board or the school
9 district boundary appeal board or the Milwaukee school construction board as
10 provided in ss. 15.77 (2), 19.47 (4) and 117.05 (2) (a).”.

11 **26.** Page 22, line 22: delete the material beginning with that line and ending
12 with page 23, line 11.

13 **27.** Page 23, line 19: delete the material beginning with that line and ending
14 with page 24, line 9.

15 **28.** Page 24, line 9: after that line insert:

16 **“SECTION 30a.** 15.183 (2) of the statutes is amended to read:

17 15.183 (2) DIVISION OF SAVINGS AND ~~LOAN~~ INSTITUTIONS. There is created a
18 division of savings and ~~loan~~ institutions. Prior to July 1, 2000, the division is
19 attached to the department of financial institutions under s. 15.03. After June 30,
20 2000, the division is created in the department of financial institutions. The
21 administrator of the division shall be appointed outside the classified service by the
22 secretary of financial institutions and shall serve at the pleasure of the secretary.”.

23 **29.** Page 24, line 9: after that line insert:

24 **“SECTION 28b.** 15.155 (2) (c) 1. of the statutes is repealed.

SECTION 28d. 15.155 (2) (c) 3. of the statutes is amended to read:

15.155 **(2)** (c) 3. Six Two members representing responsible units.

SECTION 28f. 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

15.155 **(2)** (c) 4. Two members representing businesses that market products made from recycled materials, recover recyclable materials or develop markets for products made from recycled materials.”.

30. Page 24, line 9: after that line insert:

“**SECTION 30g.** 15.195 (6) of the statutes is amended to read:

15.195 **(6)** BOARD ON HEALTH CARE INFORMATION. There is created a board on health care information which is attached to the department of health and family services under s. 15.03. The board shall consist of 11 members, one of whom shall be a record administrator, registered by the American Medical Record Association, and; at least 2 of whom shall be employer purchasers of health care; and 5 of whom shall be or represent health care providers, including one registered nurse, licensed under s. 441.06, and 2 physicians, as defined in s. 448.01 (5), and 2 representatives of hospitals, as defined in s. 50.33 (2). The State Medical Society of Wisconsin may recommend board membership for 5 physicians, one of whom the governor shall appoint. The members shall be appointed for 4–year terms.

SECTION 30r. 15.195 (9) of the statutes is created to read:

15.195 **(9)** INDEPENDENT REVIEW BOARD. There is created an independent review board that is attached to the department of health and family services under s. 15.03. The board may not include an employe of the department of health and family services and shall consist of the commissioner of insurance or his or her designee and the following members appointed for 4–year terms:

1 (a) A statistician or researcher.

2 (b) A medical ethicist of the University of Wisconsin System or the Medical
3 College of Wisconsin.

4 (c) An expert in issues relating to privacy.

5 (d) A purchaser of health care.”.

6 **31.** Page 24, line 9: after that line insert:

7 “**SECTION 28m.** 15.195 (1) of the statutes is created to read:

8 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control board
9 attached to the department of health and family services under s. 15.03, except that
10 the secretary of health and family services shall submit to the department of
11 administration the proposed budget of the board exactly as prepared by the board to
12 the extent that it comports with the requirements of the department of
13 administration. The tobacco control board shall consist of the following members:

14 1. The attorney general or his or her designee.

15 2. One majority party senator, one minority party senator, one majority party
16 representative to the assembly and one minority party representative to the
17 assembly, appointed as are the members of standing committees in their respective
18 houses.

19 3. The secretary of health and family services or his or her designee.

20 4. The superintendent of public instruction.

21 5. One physician with expertise in oncology, cardiovascular disease, smoking
22 cessation or public health.

23 6. One student from the University of Wisconsin System.

1 7. Two high school students, including at least one minority student, as defined
2 in s. 39.40 (1).

3 8. Five representatives of organizations that have as their primary
4 organizational mission reducing the health or economic consequences of tobacco use
5 or ameliorating the effects of tobacco use and reducing the incidence of particular
6 diseases or health conditions associated with tobacco use.

7 9. One local health officer.

8 10. One person who is a minority group member, as defined in s. 560.036 (1)
9 (f).

10 11. One retailer who sells tobacco products.

11 12. One representative of a hospital.

12 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
13 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
14 status upon which the appointment was based, he or she shall cease to be a member
15 of the tobacco control board.

16 (c) The board shall meet at least 4 times per year. Ten members constitute a
17 quorum. For the purpose of conducting business and exercising its powers, a
18 majority vote of the members of the board is required.”.

19 **32.** Page 24, line 9: after that line insert:

20 “**SECTION 28m.** 15.105 (27) of the statutes is created to read:

21 15.105 **(27)** CENSUS EDUCATION BOARD. There is created a census education
22 board which is attached to the department of administration under s. 15.03. The
23 board shall consist of 2 senators and 2 representatives to the assembly who shall be

1 appointed in the same manner as members of standing committees of the legislature
2 are appointed.

3 **SECTION 28n.** 15.105 (27) of the statutes, as created by 1999 Wisconsin Act
4 (this act), is repealed.”.

5 **33.** Page 24, line 9: after that line insert:

6 “**SECTION 28c.** 15.165 (5) of the statutes is created to read:

7 15.165 (5) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. (a) There is created
8 in the department of employe trust funds a private employer health care coverage
9 board consisting of the secretary of employe trust funds or his or her designee, the
10 secretary of health and family services or his or her designee and the following
11 members appointed for 3–year terms:

- 12 1. One member who represents health maintenance organizations.
- 13 2. One member who represents hospitals.
- 14 3. One member who represents insurance agents, as defined in s. 628.02 (4).
- 15 4. Two members who are employees eligible to receive health care coverage
16 under subch. X of ch. 40 and whose employer employs not more than 50 employees.
- 17 5. One member who represents insurers.
- 18 6. Two members who are, or who represent, employers that employ not more
19 than 50 employees and who are eligible to offer health care coverage under subch. X
20 of ch. 40.
- 21 7. One member who is a physician, as defined in s. 448.01 (5).
- 22 8. Two members who represent the public interest.

23 (b) The secretary of employe trust funds or his or her designee and the secretary
24 of health and family services or his or her designee shall be nonvoting members.

1 **SECTION 28r.** 15.165 (5) of the statutes, as created by 1999 Wisconsin Act
2 (this act), section 28c, is repealed.”.

3 **34.** Page 24, line 9: after that line insert:

4 **“SECTION 28m.** 15.107 (17) of the statutes is created to read:

5 15.107 (17) COUNCIL ON UTILITY PUBLIC BENEFITS. There is created a council on
6 utility public benefits that is attached to the department of administration under s.
7 15.03. The council shall consist of the following members appointed for 3–year
8 terms:

9 (a) Two members appointed by the governor.

10 (b) Two members appointed by the senate majority leader.

11 (c) One member appointed by the senate minority leader.

12 (d) Two members appointed by the speaker of the assembly.

13 (e) One member appointed by the assembly minority leader.

14 (f) One member appointed by the secretary of natural resources.

15 (g) One member appointed by the secretary of administration.

16 (h) One member appointed by the chairperson of the public service
17 commission.”.

18 **35.** Page 25, line 11: delete “2001” and substitute “2002”.

19 **36.** Page 25, line 12: delete the material beginning with that line and ending
20 with page 26, line 21.

21 **37.** Page 27, line 21: delete lines 21 and 22 and substitute:

22 “6g. One member who is a representative of organized labor and one member
23 who is a representative of business and industry, appointed as are the members of
24 assembly standing committees.

1 6m. One member who is a representative of organized labor and one member
2 who is a representative of business and industry, appointed as are the members of
3 senate standing committees.

4 7g. Two members who are representatives of organized labor, appointed by the
5 governor to serve at the pleasure of the governor.

6 8g. Two members who are representatives of business and industry, appointed
7 by the governor to serve at the pleasure of the governor.”.

8 **38.** Page 27, line 25: delete “7. and 8.” and substitute “6g., 6m., 7g. and 8g.
9 appointed by the governor to serve at the pleasure of the governor.”.

10 **39.** Page 28, line 2: delete “7. and 8.” and substitute “6g., 6m., 7g. and 8g.”.

11 **40.** Page 28, line 3: after “public” insert “, appointed by the governor to serve
12 at the pleasure of the governor”.

13 **41.** Page 28, line 4: delete lines 4 and 5.

14 **42.** Page 28, line 6: after that line insert:

15 “**SECTION 37L.** 15.343 of the statutes is created to read:

16 **15.343 Same; specified divisions. (1)** DIVISION OF FORESTRY. There is created
17 in the department of natural resources a division of forestry.”.

18 **43.** Page 28, line 6: after that line insert:

19 “**SECTION 37j.** 15.377 (1) of the statutes is repealed and recreated to read:

20 **15.377 (1)** BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. (a) *Definition.* In
21 this subsection, “visually impaired” has the meaning given in s. 115.51 (4).

22 (b) *Creation.* There is created a blind and visual impairment education council
23 in the department of public instruction.

1 (c) *Members.* The blind and visual impairment education council shall consist
2 of the following members, at least one of whom has been certified by the library of
3 congress as a braille transcriber, appointed by the state superintendent for 3–year
4 terms:

5 1. Three parents of children who are visually impaired.

6 2. Three persons who are members of an organization affiliated with persons
7 who are visually impaired.

8 3. Three licensed teachers, one of whom is a teacher of the visually impaired,
9 one of whom is an orientation and mobility teacher and one of whom is a general
10 education teacher.

11 4. One school board member.

12 5. One school district administrator.

13 6. One school district special education director.

14 7. One cooperative educational service agency representative.

15 8. One person who has experience in educating the visually impaired or in
16 educating teachers of the visually impaired and is affiliated with an institution of
17 higher education.

18 9. Three other members, at least one of whom is visually impaired.”.

19 **44.** Page 28, line 6: after that line insert:

20 “**SECTION 37k.** 15.406 (4) of the statutes is created to read:

21 15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. There is created
22 in the department of regulation and licensing, attached to the medical examining
23 board, an athletic trainers affiliated credentialing board consisting of the following
24 members appointed for 4–year terms:

1 (a) Four athletic trainers who are licensed under subch. VI of ch. 448 and who
2 have not been issued a credential in athletic training by a governmental authority
3 in a jurisdiction outside this state. One of the athletic trainer members may also be
4 licensed under ch. 446 or 447 or subch. II, III or IV of ch. 448.

5 (b) One member who is licensed to practice medicine and surgery under subch.
6 II of ch. 448 and who has experience with athletic training and sports medicine.

7 (c) One public member.”.

8 **45.** Page 28, line 7: delete lines 7 to 14.

9 **46.** Page 28, line 22: after that line insert:

10 “**SECTION 40k.** 15.77 of the statutes is created to read:

11 **15.77 Milwaukee school construction board. (1)** There is created a
12 Milwaukee school construction board consisting of all of the following:

13 (a) One senator and one representative to the assembly appointed as are the
14 members of standing committees in their respective houses.

15 (b) One person appointed by the mayor of the city of Milwaukee.

16 (c) One person appointed by the governor.

17 **(2)** Any action of the Milwaukee school construction board requires the
18 affirmative vote of 3 of its members.

19 **(3)** The Milwaukee school construction board does not have rule-making
20 authority.

21 **(4)** The board of school directors of the school district operating under ch. 119
22 shall assist the Milwaukee school construction board in the performance of its duties.

23 **(5)** This section does not apply after the first day of the 60th month beginning
24 after the effective date of this subsection [revisor inserts date].”.

1 **47.** Page 28, line 23: delete the material beginning with that line and ending
2 with page 30, line 13.

3 **48.** Page 30, line 20: after that line insert:

4 “**SECTION 40t.** 16.004 (14) of the statutes is created to read:

5 16.004 (14) GRANTS TO TECHNICAL COLLEGES. From the appropriation under s.
6 20.505 (4) (e), the secretary shall award grants to technical college district boards to
7 develop or expand programs in occupational areas in which there is a high demand
8 for workers, and to make capital expenditures that are necessary for such
9 development or expansion, as determined by the secretary. The department shall
10 promulgate rules establishing criteria for judging grant applications.”.

11 **49.** Page 31, line 25: delete that line.

12 **50.** Page 32, line 1: delete lines 1 to 25.

13 **51.** Page 33, line 1: delete lines 1 and 2.

14 **52.** Page 33, line 2: after that line insert:

15 “2. “Transaction” means a conveyance of land rights.

16 (b) Not later than January 1, 2000, the council shall develop and distribute a
17 form to each register of deeds that contains space for the following information:

18 1. The name and address of each party that is involved in a transaction.

19 2. The date of the transaction.

20 3. The approximate size of the parcel to which the land rights relate.

21 4. The approximate total size of the parcel of which the land rights constitute
22 a portion.

23 (c) For a transaction that is completed after June 30, 2000, a person who is a
24 party to a transaction, as a purchaser or purchaser’s agent or as a seller or seller’s

1 agent, shall prepare and sign the form described in par. (b). The person who prepares
2 and signs the form shall send one copy of the form to the council, which shall create
3 and maintain a directory for the forms.”.

4 **53.** Page 34, line 5: delete lines 5 to 23.

5 **54.** Page 40, line 17: delete lines 17 to 25.

6 **55.** Page 41, line 1: delete lines 1 to 4.

7 **56.** Page 41, line 5: delete lines 5 to 18.

8 **57.** Page 43, line 7: after that line insert:

9 “**SECTION 65d.** 16.385 (7) of the statutes is amended to read:

10 16.385 (7) INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES. No
11 payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison
12 under s. 302.01 or to a person placed at a secured correctional facility, as defined in
13 s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g),
14 or a secured group home, as defined in s. 938.02 (15p).”.

15 **58.** Page 44, line 1: delete lines 1 to 19.

16 **59.** Page 44, line 19: after that line insert:

17 “**SECTION 70m.** 16.50 (5m) of the statutes is amended to read:

18 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
19 do not apply to expenditures authorized under s. 20.285 (2) (i) 2.”.

20 **60.** Page 45, line 13: delete the material beginning with that line and ending
21 with page 46, line 2, and substitute:

22 “**SECTION 78t.** 16.54 (11m) of the statutes is created to read:

1 16.54 **(11m)** All moneys received by the state as national forest income under
2 16 USC 500 shall be distributed to school districts that contain national forest lands
3 within their boundaries. The distribution to each school district shall reflect the
4 proportion of national forest acreage located within the school district.”.

5 **61.** Page 47, line 18: after that line insert:

6 “**SECTION 81g.** 16.70 (13m) of the statutes is created to read:

7 16.70 **(13m)** “Remanufacturing” means the process by which a durable product
8 is restored, retaining the bulk of components that have been through at least one life
9 cycle and replacing consumable portions to enable the product to be restored to its
10 originally intended function.”.

11 **62.** Page 48, line 14: after that line insert:

12 “**SECTION 82pm.** 16.72 (2) (e) of the statutes is renumbered 16.72 (2) (e) 1.

13 **SECTION 82pr.** 16.72 (2) (e) 2. of the statutes is created to read:

14 16.72 **(2)** (e) 2. a. In this subdivision, “toner cartridge” means a cartridge
15 containing dry, powdered ink for application to paper by use of a photocopier, laser
16 printer or similar device.

17 b. In writing specifications for purchases under this section, the department,
18 any other designated purchasing agent under s. 16.71 (1) and each authority, other
19 than the University of Wisconsin Hospitals and Clinics Authority, shall ensure that
20 the specifications prohibit the procurement of a toner cartridge whose original
21 manufacturer places restrictions on the remanufacturing of the toner cartridge by
22 any person other than the original manufacturer. Restrictions on remanufacturing
23 include reducing the price of the toner cartridge in exchange for an agreement not
24 to remanufacture the toner cartridge, a licensing agreement on the toner cartridge

1 that forbids remanufacturing and any contract that forbids the remanufacturing or
2 recycling of a toner cartridge. Trade names may be used in specifications written
3 under this subdivision.”.

4 **63.** Page 48, line 15: after that line insert:

5 “**SECTION 84m.** 16.74 (5m) of the statutes is created to read:

6 16.74 **(5m)** In writing specifications for purchases under this section, the joint
7 committee on legislative organization, house, legislative service agency, director of
8 state courts or judicial branch agency shall ensure that specifications include a
9 prohibition against the purchase of a toner cartridge, as defined in s. 16.72 (2) (e) 2.
10 a., whose original manufacturer places restrictions on the remanufacturing of the
11 toner cartridge by any person other than the original manufacturer. Restrictions on
12 remanufacturing include reducing the price of the toner cartridge in exchange for an
13 agreement not to remanufacture the toner cartridge, a licensing agreement on the
14 toner cartridge that forbids remanufacturing and any contract that forbids the
15 remanufacturing or recycling of a toner cartridge. Trade names may be used in
16 specifications written under this subsection.”.

17 **64.** Page 51, line 20: after that line insert:

18 “**SECTION 105e.** 16.853 of the statutes is created to read:

19 **16.853 Grant to Heritage Military Music Foundation.** If the Heritage
20 Military Music Foundation requests the department to review an estimate of the cost
21 of improvements to its building in the city of Watertown, the department shall review
22 the estimate. If the department approves the estimate, the department shall provide
23 a grant to the foundation in the amount of \$85,300 for the purpose of making
24 improvements to that building.

1 **SECTION 105f.** 16.853 of the statutes, as created by 1999 Wisconsin Act (this
2 act), is repealed.”.

3 **65.** Page 54, line 4: after that line insert:

4 **“SECTION 109m.** 16.957 of the statutes is created to read:

5 **16.957 Utility public benefits. (1) DEFINITIONS.** In this section:

6 (bm) “Commission” means the public service commission.

7 (c) “Commitment to community program” means a program by a municipal
8 utility or retail electric cooperative for low-income assistance or an energy
9 conservation program by a municipal utility or retail electric cooperative.

10 (cm) “Council” means the council on utility public benefits created under s.
11 15.107 (17).

12 (d) “Customer application of renewable resources” means the generation of
13 electricity from renewable resources that takes place on the premises of a customer
14 or member of an electric provider.

15 (e) “Division of housing” means the division of housing in the department.

16 (f) “Electric provider” means an electric utility or retail electric cooperative.

17 (g) “Electric utility” means a public utility that owns or operates a retail electric
18 distribution system.

19 (h) “Energy conservation program” means a program for reducing the demand
20 for natural gas or electricity or improving the efficiency of its use during any period.

21 (i) “Fiscal year” has the meaning given in s. 655.001 (6).

22 (k) “Local unit of government” means the governing body of any county, city,
23 town, village or county utility district or the elected tribal governing body of a
24 federally recognized American Indian tribe or band.

1 (L) “Low-income assistance” means assistance to low-income households for
2 weatherization and other energy conservation services, payment of energy bills or
3 early identification or prevention of energy crises.

4 (m) “Low-income household” means any individual or group of individuals in
5 this state who are living together as one economic unit and for whom residential
6 electricity is customarily purchased in common or who make undesignated
7 payments for electricity in the form of rent, and whose household income is not more
8 than 150% of the poverty line as determined under 42 USC 9902 (2).

9 (n) “Low-income need” means the amount obtained by subtracting from the
10 total low-income energy bills in a fiscal year the product of 2.2% of the estimated
11 average annual income of low-income households in this state in that fiscal year
12 multiplied by the estimated number of low-income households in this state in that
13 fiscal year.

14 (o) “Low-income need percentage” means the percentage that results from
15 dividing the sum of the following by the amount of low-income need in fiscal year
16 1998–99:

17 1. The total amount received by the department for low-income funding under
18 42 USC 6861 to 6873 and 42 USC 8621 to 8629 in fiscal year 1997–98.

19 1m. The amount of the portion of the public benefits fee for fiscal year
20 1999–2000 that is specified in sub. (4) (c) 1. The amount specified in this subdivision
21 shall not be subject to the reduction under 1999 Wisconsin Act (this act), section
22 9101 (1zv) (a).

23 2. The total amount expended by utilities under s. 196.374 related to
24 low-income assistance.

1 3. Fifty percent of the amount of public benefits fees that municipal utilities
2 and retail electric cooperatives are required to charge under sub. (5) (a) in fiscal year
3 1999–2000. The amount specified in this subdivision shall not be subject to the
4 reduction under 1999 Wisconsin Act (this act), section 9101 (1zv) (c).

5 (p) “Low-income need target” means the product of the low-income need
6 percentage multiplied by low-income need in a fiscal year.

7 (q) “Municipal utility” means an electric utility that is owned wholly by a
8 municipality and that owns a retail distribution system.

9 (qm) “Public utility” has the meaning given in s. 196.01 (5).

10 (r) “Renewable resource” has the meaning given in s. 196.378 (1) (h).

11 (s) “Retail capacity” means the total amount of electricity that an electric
12 provider is capable of delivering to its retail customers or members and that is
13 supplied by electric generating facilities owned or operated by the electric provider
14 or any other person. “Retail capacity” does not include any electricity that is not used
15 to satisfy the electric provider’s retail load obligations.

16 (t) “Retail electric cooperative” means a cooperative association that is
17 organized under ch. 185 for the purpose of providing electricity at retail to its
18 members only and that owns or operates a retail electric distribution system.

19 (u) “Total low-income energy bills” means the total estimated amount that all
20 low-income households are billed for residential electricity, natural gas and heating
21 fuel in a fiscal year.

22 (v) “Wholesale electric cooperative” means a cooperative association that is
23 organized under ch. 185 for the purpose of providing electricity at wholesale to its
24 members only.

1 (w) “Wholesale supplier” means a wholesale electric cooperative or a municipal
2 electric company, as defined in s. 66.073 (3) (d), that supplies electricity at wholesale
3 to a municipal utility or retail electric cooperative.

4 (x) “Wholesale supply percentage” means the percentage of a municipal
5 utility’s or retail electric cooperative’s retail capacity in a fiscal year that is supplied
6 by a wholesale supplier.

7 **(2) DEPARTMENT DUTIES.** In consultation with the council, the department shall
8 do all of the following:

9 (a) *Low-income programs.* After holding a hearing, establish programs to be
10 administered by the department through the division of housing for awarding grants
11 from the appropriation under s. 20.505 (10) (r) to provide low-income assistance. In
12 each fiscal year, the amount awarded under this paragraph shall be sufficient to
13 ensure that an amount equal to 47% of the sum of the following is spent for
14 weatherization and other energy conservation services:

15 1. All moneys received from the federal government under 42 USC 6861 to 6873
16 and 42 USC 8621 to 8629 in a fiscal year.

17 2. All moneys spent in a fiscal year for low-income programs established under
18 s. 196.374.

19 3. All moneys spent in a fiscal year on programs established under this
20 paragraph.

21 4. Fifty percent of the moneys collected in public benefits fees under sub. (5).

22 (b) *Energy conservation and efficiency and renewable resource programs.* 1.
23 Subject to subd. 2., after holding a hearing, establish programs for awarding grants
24 from the appropriation under s. 20.505 (10) (s) for each of the following:

1 a. Proposals for providing energy conservation or efficiency services. In
2 awarding grants under this subd. 1. a., the department shall give priority to
3 proposals directed at the sectors of energy conservation or efficiency markets that
4 are least competitive and at promoting environmental protection, electric system
5 reliability or rural economic development. In each fiscal year, 1.75% of the
6 appropriation under s. 20.505 (10) (s) shall be awarded in grants for research and
7 development proposals regarding the environmental impacts of the electric industry.

8 b. Proposals for encouraging the development or use of customer applications
9 of renewable resources, including educating customers or members about renewable
10 resources or encouraging uses of renewable resources by customers or members or
11 encouraging research technology transfers. In each fiscal year, the department shall
12 ensure that 4.5% of the appropriation under s. 20.505 (10) (s) is awarded in grants
13 under this subd. 1. b.

14 2. For each fiscal year after fiscal year 2003–04, determine whether to continue,
15 discontinue or reduce any of the programs established under subd. 1. and determine
16 the total amount necessary to fund the programs that the department determines
17 to continue or reduce under this subdivision. The department shall notify the
18 commission if the department determines under this subdivision to reduce funding
19 by an amount that is greater than the portion of the public benefits fee specified in
20 sub. (4) (c) 2. The notice shall specify the portion of the reduction that exceeds the
21 amount of public benefits fees specified in sub. (4) (c) 2.

22 (c) *Rules.* Promulgate rules establishing all of the following:

23 1. Eligibility requirements for low-income assistance under programs
24 established under par. (a). The rules shall prohibit a person who receives
25 low-income assistance from a municipal utility or retail electric cooperative under

1 a program specified in sub. (5) (d) 2. b. or 3. a. from receiving low-income assistance
2 under programs established under par. (a).

3 2. Requirements and procedures for applications for grants awarded under
4 programs established under par. (a) or (b) 1.

5 2m. Criteria for the selection of proposals by a corporation specified in sub. (3)
6 (b).

7 2n. Criteria for making the determination under par. (b) 2. Rules promulgated
8 under this subdivision shall require the department to determine whether the need
9 for a program established under par. (b) 1. is satisfied by the private sector market
10 and, if so, whether the program should be discontinued or reduced.

11 4. Requirements for electric utilities to allow customers to include voluntary
12 contributions to assist in funding a program established under par. (a) or (b) 1. with
13 bill payments for electric service. The rules may require an electric utility to provide
14 a space on an electric bill in which a customer may indicate the amount of a voluntary
15 contribution and the customer's preference regarding whether a contribution should
16 be used for a program established under par. (a) or (b) 1. a. or b. The rules shall
17 establish requirements and procedures for electric utilities to pay to the department
18 any voluntary contributions included with bill payments and to report to the
19 department customer preferences regarding use of the contributions. The
20 department shall deposit all contributions received under this paragraph in the
21 utility public benefits fund.

22 5. A method for estimating total low-income energy bills, average annual
23 income of low-income households and the number of low-income households in a
24 fiscal year for the purpose of determining the amount of low-income need in the fiscal
25 year.

1 (d) *Other duties.* 1. For each fiscal year after fiscal year 1998–99, determine
2 the low-income need target for that fiscal year.

3 2. Encourage customers or members to make voluntary contributions to assist
4 in funding the programs established under pars. (a) and (b) 1. The department shall
5 deposit all contributions received under this paragraph in the utility public benefits
6 fund.

7 3. Deposit all moneys received under sub. (4) (a) or (5) (c) or (d) in the utility
8 public benefits fund.

9 4. Provide for an annual independent audit and submit an annual report to the
10 legislature under s. 13.172 (2) that describes each of the following:

11 a. The expenses of the department, other state agencies and grant recipients
12 in administering or participating in the programs under pars. (a) and (b).

13 b. The effectiveness of the programs under par. (a) in providing assistance to
14 low-income individuals.

15 c. The effectiveness of the programs under par. (b) in reducing demand for
16 electricity and increasing the use of renewable resources owned by customers or
17 members.

18 d. Any other issue identified by the department, council, governor, speaker of
19 the assembly or majority leader of the senate.

20 **(3) CONTRACTS.** (a) The division of housing shall, on the basis of competitive
21 bids, contract with community action agencies described in s. 46.30 (2) (a) 1.,
22 nonstock, nonprofit corporations organized under ch. 181 or local units of
23 government to provide services under the programs established under sub. (2) (a).

24 (b) The department shall, on the basis of competitive bids, contract with one
25 or more nonstock, nonprofit corporations organized under ch. 181 to administer the

1 programs established under sub. (2) (b) 1., including soliciting proposals, processing
2 grant applications, selecting, based on criteria specified in rules promulgated under
3 sub. (2) (c) 2m., proposals for the department to make awards and distributing grants
4 to recipients.

5 (c) In selecting proposals and awarding grants under sub. (2) (b), the
6 department or a nonprofit corporation specified in par. (b) may not discriminate
7 against an electric provider or its affiliate or a wholesale electric supplier or its
8 affiliate solely on the basis of its status as an electric provider, wholesale electric
9 supplier or affiliate.

10 **(4) ELECTRIC UTILITIES.** (a) *Requirement to charge public benefits fees.* Each
11 electric utility, except for a municipal utility, shall charge each customer a public
12 benefits fee in an amount established in rules promulgated by the department under
13 par. (b). An electric utility, except for a municipal utility, shall collect and pay the fees
14 to the department in accordance with the rules promulgated under par. (b). The
15 public benefits fees collected by an electric utility shall be considered trust funds of
16 the department and not income of the electric utility.

17 (am) *Electric bills.* An electric utility shall include a public benefits fee in the
18 fixed charges for electricity in a customer's bill and shall provide the customer with
19 an annual statement that identifies the annual charges for public benefits fees and
20 describes the programs for which fees are used.

21 (b) *Rules.* In consultation with the council, the department shall promulgate
22 rules that establish the amount of a public benefits fee under par. (a). Fees
23 established in rules under this paragraph may vary by class of customer, but shall
24 be uniform within each class, and shall satisfy each of the following:

1 1. The fees may not be based on the kilowatt-hour consumption of electricity
2 by customers.

3 2. Seventy percent of the total amount of fees charged by an electric provider
4 may be charged to residential customers and 30% of the total may be charged to
5 nonresidential customers.

6 3. The fees shall allow an electric provider to recover the reasonable and
7 prudent expenses incurred by the electric provider in complying with this section.

8 (c) *Amount of public benefits fees.* A fee established in rules promulgated under
9 par. (b) shall satisfy each of the following:

10 1. ‘Low-income funding.’ In fiscal year 1999–2000, a portion of the public
11 benefits fee shall be an amount that, when added to 50% of the estimated public
12 benefits fees charged by municipal utilities and retail electric cooperatives under
13 sub. (5) (a) for that fiscal year, shall equal \$24,000,000. In each fiscal year after fiscal
14 year 1999–2000, a portion of the public benefits fee shall be an amount that, when
15 added to the sum of the following shall equal the low-income need target for that
16 fiscal year determined by the department under sub. (2) (d) 1.:

17 a. Fifty percent of the estimated public benefits fees charged by municipal
18 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year.

19 b. All moneys received under 42 USC 6861 to 6873 and 42 USC 8621 to 8629
20 for that fiscal year.

21 c. The total amount spent on programs or contributed to the commission by
22 utilities under s. 196.374 (3) for that fiscal year for low-income assistance.

23 2. ‘Energy conservation and efficiency and renewable resource funding.’ For
24 fiscal year 1999–2000, a portion of the public benefits fee shall be in an amount that,
25 when added to 50% of the estimated public benefits fees charged by municipal

1 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year, shall
2 equal \$20,000,000. In each fiscal year after fiscal year 1999–2000, a portion of the
3 public benefits fee shall be the amount determined under this subdivision for fiscal
4 year 1999–2000, except that if the department determines to reduce or discontinue
5 a program under sub. (2) (b) 2., the department shall reduce the amount accordingly.

6 3. 'Limitation on electric bill increases.' For the period beginning on the
7 effective date of this subdivision [revisor inserts date], and ending on June 30,
8 2008, the total increase in a customer's electric bills that is based on the requirement
9 to pay public benefits fees, including any increase resulting from an electric utility's
10 compliance with this section, may not exceed 3% of the total of every other charge for
11 which the customer is billed for that period or \$750 per month, whichever is less.

12 (5) MUNICIPAL UTILITIES AND RETAIL ELECTRIC COOPERATIVES. (a) *Requirement to*
13 *charge public benefits fees.* Each retail electric cooperative and municipal utility
14 shall charge a monthly public benefits fee to each customer or member in an amount
15 that is sufficient for the retail electric cooperative or municipal utility to collect an
16 annual average of \$16 per meter. A retail electric cooperative or municipal utility
17 may determine the amount that a particular class of customers or members is
18 required to pay under this paragraph and may charge different fees to different
19 classes of customers or members.

20 (am) *Public benefits fee restriction.* Notwithstanding par. (a), for the period
21 beginning on the effective date of this paragraph [revisor inserts date], and ending
22 on June 30, 2008, the total increase in a customer's or member's electric bills that is
23 based on the requirement to pay public benefits fees, including any increase
24 resulting from a retail electric cooperative's or municipal utility's compliance with

1 this section, may not exceed 3% of the total of every other charge for which the
2 member or customer is billed for that period or \$750 per month, whichever is less.

3 (b) *Election to contribute to department programs.* 1. No later than the first
4 day of the 12th month beginning after the effective date of this subdivision
5 [revisor inserts date], each municipal utility or retail electric cooperative shall notify
6 the department whether it has elected to contribute to the programs established
7 under sub. (2) (a) or (b) 1. for a 3-year period.

8 2. No later than every 3rd year after the date specified in subd. 1., each
9 municipal utility or retail electric cooperative shall notify the department whether
10 it has elected to contribute to the programs established under sub. (2) (a) or (b) 1. for
11 a 3-year period.

12 (c) *Full contribution.* If a municipal utility or retail electric cooperative elects
13 under par. (b) 1. or 2. to contribute to the programs established both under sub. (2)
14 (a) and under sub. (2) (b) 1., it shall pay 100% of the public benefits fees that it charges
15 under par. (a) to the department in each fiscal year of the 3-year period for which it
16 has made the election.

17 (d) *Partial contributions and commitment to community spending.* A
18 municipal utility or retail electric cooperative not specified in par. (c) shall do one of
19 the following:

20 1. If the municipal utility or retail electric cooperative elects to contribute only
21 to the programs established under sub. (2) (a), the municipal utility or retail electric
22 cooperative shall, in each fiscal year of the 3-year period for which it elects to
23 contribute under par. (b) 1. or 2., do all of the following:

24 a. Pay 50% of the public benefits fees that it charges under par. (a) to the
25 department.

1 b. Spend 50% of the public benefits fees that it charges under par. (a) on energy
2 conservation programs.

3 2. If the municipal utility or retail electric cooperative elects to contribute only
4 to the programs established under sub. (2) (b) 1., the municipal utility or retail
5 electric cooperative shall, in each fiscal year of the 3–year period for which it elects
6 to contribute under par. (b) 1. or 2., do all of the following:

7 a. Pay 50% of the public benefits fees that it charges under par. (a) to the
8 department.

9 b. Spend 50% of the public benefits fees that it charges under par. (a) on
10 programs for low–income assistance.

11 3. If the municipal utility or retail electric cooperative elects not to contribute
12 to any of the programs established under sub. (2) (a) or (b) 1., the municipal utility
13 or retail electric cooperative shall, in each fiscal year of the 3–year period for which
14 it elects not to contribute under par. (b) 1. or 2., do all of the following:

15 a. Spend 50% of the public benefits fees that it charges under par. (a) on
16 programs for low–income assistance.

17 b. Spend 50% of the public benefits fees that it charges under par. (a) on energy
18 conservation programs.

19 (e) *Wholesale supplier credit.* If a wholesale supplier has established a program
20 for low–income assistance or an energy conservation program, a municipal utility or
21 retail electric cooperative that is a customer or member of the wholesale supplier
22 may do any of the following:

23 1. Include an amount equal to the product of the municipal utility’s or retail
24 electric cooperative’s wholesale supply percentage and the amount that the
25 wholesale supplier has spent on low–income assistance in a fiscal year in calculating

1 the amount that the municipal utility or retail electric cooperative has spent on
2 low-income assistance in that fiscal year under par. (d) 2. b. or 3. a.

3 2. Include an amount equal to the product of the municipal utility's or retail
4 electric cooperative's wholesale supply percentage and the amount that the
5 wholesale supplier has spent on energy conservation programs or customer
6 applications of renewable resources in a fiscal year in calculating the amount that
7 the municipal utility or retail electric cooperative has spent on energy conservation
8 programs under par. (d) 1. b. or 3. b.

9 (f) *Joint programs.* Municipal utilities or retail electric cooperatives may
10 establish joint commitment to community programs, except that each municipal
11 utility or retail electric cooperative that participates in a joint program is required
12 to comply with the spending requirements under par. (d).

13 (g) *Reports.* 1. For each fiscal year, each municipal utility and retail electric
14 cooperative that does not pay 100% of the public benefits fee that it charges under
15 par. (a) to the department under par. (c) shall file a report with the department that
16 describes each of the following:

17 a. An accounting of public benefits fees charged to customers or members under
18 par. (a) in the fiscal year and expenditures on commitment to community programs
19 under par. (d), including any amounts included in the municipal utility's or retail
20 electric cooperative's calculations under par. (e).

21 b. A description of commitment to community programs established by the
22 municipal utility or retail electric cooperative in the fiscal year.

23 2. The department shall maintain reports filed under subd. 1. for at least 6
24 years.

25 **SECTION 109no.** 16.958 of the statutes is created to read:

1 **16.958 Air quality improvement program. (1)** In this section:

2 (a) “Eligible electric provider” means a generator public utility or a generator
3 electric cooperative that provides electric service to customers or members in the
4 midcontinent area of this state.

5 (b) “Generator electric cooperative” means an electric cooperative, as defined
6 in s. 76.48 (1g) (c), that generates electricity.

7 (c) “Generator public utility” means a public utility, as defined in s. 196.01 (5),
8 that generates electricity.

9 (d) “Initial compliance date” means the date specified in a notice by the
10 department of natural resources under s. 285.48 (2) by which electric generating
11 facilities in the midcontinent area of this state are required to comply with initial
12 nitrogen oxide emission reduction requirements.

13 (e) “Midcontinent area” means the geographic area served by the
14 Mid–Continent Area Power Pool reliability council of the North American Electric
15 Reliability Council.

16 **(2)** If the department of natural resources makes a notification to the
17 department of administration under s. 285.48 (2), the department of administration
18 shall do each of the following:

19 (a) In each fiscal year of the 10–year period that commences on July 1 of the
20 fiscal year ending before the initial compliance date, transfer \$2,500,000, or the
21 lesser amount specified in a notice under s. 285.48 (3) (d) 4., from the utility public
22 benefits fund to the air quality improvement fund.

23 (b) From the air quality improvement fund, award grants to eligible electric
24 providers to be used for the purpose of complying with requirements under state or
25 federal law to reduce nitrogen oxide emissions in the midcontinent area of this state

1 pursuant to a state implementation plan. An eligible electric provider that is a public
2 utility may receive no more than \$500,000 per year in grants under this paragraph.

3 (c) Promulgate rules for awarding grants under par. (b). The rules shall require
4 an applicant for a grant to identify the reduction in nitrogen oxide emissions that the
5 applicant is capable of achieving with the grant.

6 **(3)** An eligible electric provider that is awarded a grant under sub. (2) (b) may
7 assign the grant to a 3rd party if the 3rd party uses the grant for the purpose of
8 reducing nitrogen oxide emissions and the eligible electric provider demonstrates to
9 the satisfaction of the department of administration that the 3rd party is capable of
10 achieving the reduction in nitrogen oxide emissions identified in the eligible electric
11 provider's application for the grant.”.

12 **66.** Page 55, line 21: after that line insert:

13 “(c) To the Lac Courte Oreilles Chippewa Indian tribe, \$125,000 in each fiscal
14 year to develop law enforcement capabilities on the reservation and trust lands of the
15 tribe.”.

16 **67.** Page 56, line 5: delete “and” and substitute “or”.

17 **68.** Page 56, line 8: delete lines 8 to 11.

18 **69.** Page 56, line 12: delete “(kh)” and substitute “(cm)”.

19 **70.** Page 56, line 17: delete “may” and substitute “shall”.

20 **71.** Page 56, line 18: delete “not more than 25%” and substitute “a
21 percentage”.

22 **72.** Page 56, line 20: after “unit.” insert “The department shall determine the
23 percentage of the cost to be funded by a local governmental unit based on the number

1 of applications for grants and the availability of funding to finance grants for the
2 fiscal year in which grants are to be provided.”.

3 **73.** Page 57, line 13: delete “one or more” and substitute “all”.

4 **74.** Page 57, line 17: delete that line and substitute “all of the following local,
5 comprehensive planning goals will be achieved:”.

6 **75.** Page 58, line 7: delete lines 7 and 8 and substitute:

7 “8. Building of community identity by revitalizing main streets and enforcing
8 design standards.”.

9 **76.** Page 58, line 15: after “opportunities” insert “at the state, regional and
10 local levels”.

11 **77.** Page 58, line 18: after that line insert:

12 “14. Providing an integrated, efficient and economical transportation system
13 that affords mobility, convenience and safety and that meets the needs of all citizens,
14 including transit-dependent and disabled citizens.”.

15 **78.** Page 58, line 25: after “participation” insert “throughout the planning
16 process”.

17 **79.** Page 59, line 9: delete lines 9 to 16.

18 **80.** Page 60, line 22: after that line insert:

19 “**SECTION 114nm.** 16.969 of the statutes is created to read:

20 **16.969 Fees for certain high-voltage transmission lines. (1)** In this
21 section:

22 (a) “Commission” means the public service commission.

1 (b) “High-voltage transmission line” means a high-voltage transmission line,
2 as defined in s. 196.491 (1) (f), that is designed for operation at a nominal voltage of
3 345 kilovolts or more.

4 **(2)** The department shall promulgate rules that require a person who is issued
5 a certificate of public convenience and necessity by the commission under s. 196.491
6 (3) for a high-voltage transmission line to pay the department the following fees:

7 (a) An annual impact fee in an amount equal to 0.3% of the cost of the
8 high-voltage transmission line, as determined by the commission under s. 196.491
9 (3) (gm).

10 (b) A one-time environmental impact fee in an amount equal to 5% of the cost
11 of the high-voltage transmission line, as determined by the commission under s.
12 196.491 (3) (gm).

13 **(3)** (a) The department shall distribute the fees that are paid by a person under
14 the rules promulgated under sub. (2) (a) to each town, village and city that is
15 identified by the commission under s. 196.491 (3) (gm) in proportion to the amount
16 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each
17 such town, village and city.

18 (b) The fee that is paid by a person under the rules promulgated under sub. (2)
19 (b) shall be distributed as follows:

20 1. The department shall pay 50% of the fee to each county that is identified by
21 the commission under s. 196.491 (3) (gm) in proportion to the amount of investment
22 that is allocated by the commission under s. 196.491 (3) (gm) to each such county.

23 2. The department shall pay 50% of the fee to each town, village and city that
24 is identified by the commission under s. 196.491 (3) (gm) in proportion to the amount

1 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each
2 such town, village and city.

3 (4) A county, town, village or city that receives a distribution under sub. (3) (b)
4 may use the distribution only for park, conservancy, wetland or other similar
5 environmental programs.”.

6 **81.** Page 61, line 8: delete “the weighted” and substitute “a weighted”.

7 **82.** Page 61, line 9: delete “department of administration under s. 978.042 (1)”
8 and substitute “state prosecutors office in the department of administration”.

9 **83.** Page 61, line 14: delete the material beginning with that line and ending
10 with page 62, line 9.

11 **84.** Page 63, line 2: delete “School for the Visually Handicapped” and
12 substitute “Center for the Blind and Visually Impaired”.

13 **85.** Page 64, line 3: delete the material beginning with that line and ending
14 with page 65, line 9.

15 **86.** Page 83, line 9: after that line insert:

16 “**SECTION 161d.** 19.35 (1) (am) 2. c. of the statutes is amended to read:

17 19.35 (1) (am) 2. c. Endanger the security, including the security of the
18 population or staff, of any state ~~correctional institution, as defined in s. 301.01 (4)~~
19 prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional
20 facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in
21 s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health
22 institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as
23 defined in s. 51.01 (3), ~~or the population or staff of any of these institutions, facilities~~
24 ~~or jails.~~”.

87. Page 83, line 10: delete lines 10 and 11.

88. Page 85, line 6: delete “1.1%” and substitute “1%”.

89. Page 97, line 16: substitute “C” for “A”.

90. Page 97, line 19: increase the dollar amount for fiscal year 1999–00 by \$55,000 and increase the dollar amount for fiscal year 2000–01 by \$55,000 to restore for the department of agriculture, trade and consumer protection a 0.5 FTE PR position for trade practice analysis.

91. Page 98, line 16: after that line insert:

“(c) Financial assistance for paratub-

erculosis testing	GPR	A	100,000	100,000".
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92. Page 99, line 12: delete “S” and substitute “A”.

93. Page 101, line 3: delete lines 3 and 4.

94. Page 101, line 6: increase the dollar amount for fiscal year 1999–00 by \$32,500 and increase the dollar amount for fiscal year 2000–01 by \$43,300 to increase the authorized FTE positions of the department of agriculture, trade and consumer protection by 1.0 GPR position related to nursery regulation.

95. Page 101, line 7: delete lines 7 and 8 and substitute:

“(b) Principal repayment and inter-

est, conservation enhancement

reserve GPR S -0- -0-".

96. Page 101, line 10: increase the dollar amount for fiscal year 2000–01 by \$3,500,000 to increase funding for the purpose for which the appropriation is made.

97. Page 101, line 11: after that line insert:

1 “(dr) Town of Troy grant, purchase of
2 development rights GPR B 500,000 –0–”.

3 **98.** Page 102, line 12: increase the dollar amount for fiscal year 2000–01 by
4 \$2,521,300 to increase funding for the purpose for which the appropriation is made.

5 **99.** Page 102, line 12: increase the dollar amount for fiscal year 1999–00 by
6 \$170,000 and increase the dollar amount for fiscal year 2000–01 by \$190,000 to
7 increase authorized FTE positions for the department of agriculture, trade and
8 consumer protection by 3.0 SEG for the soil and water resource management
9 program.

10 **100.** Page 102, line 23: decrease the dollar amount for fiscal year 1999–00 by
11 \$250,000 to decrease funding for the purpose for which the appropriation is made.

12 **101.** Page 103, line 2: decrease the dollar amount for fiscal year 1999–00 by
13 \$150,000 to decrease funding for the purpose for which the appropriation is made.

14 **102.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by
15 \$130,000 to decrease funding for the purposes for which the appropriation is made.

16 **103.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by
17 \$125,000 and decrease the dollar amount for fiscal year 2000–01 by \$125,000 to
18 decrease funding for the purposes for which the appropriation is made.

19 **104.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by
20 \$100,000 and decrease the dollar amount for fiscal year 2000–01 by \$100,000 to
21 decrease funding for grants to the city of Milwaukee for projects in the Menomonee
22 Valley.

1 **105.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by
2 \$250,700 and decrease the dollar amount for fiscal year 2000–01 by \$260,400 to
3 decrease funding for the purposes for which the appropriation is made.

4 **106.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by
5 \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to
6 increase funding for the purposes for which the appropriation is made.

7 **107.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by
8 \$204,800 and decrease the dollar amount for fiscal year 2000–01 by \$204,800 to
9 decrease funding for staff support to the recycling market development board and for
10 the conversion of 2 project positions to permanent positions for the department of
11 commerce related to recycling market development.

12 **108.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by
13 \$2,500,000 and decrease the dollar amount for fiscal year 2000–01 by \$1,500,000 to
14 decrease funding for the purposes for which the appropriation is made.

15 **109.** Page 109, line 10: decrease the dollar amount for fiscal year 2000–01 by
16 \$76,400 to decrease funding for the purposes for which the appropriation is made.

17 **110.** Page 110, line 2: after that line insert:
18 “(sa) Administration of mobile homes SEG A –0– 76,400”.

19 **111.** Page 111, line 9: increase the dollar amount for fiscal year 1999–00 by
20 \$120,000 and increase the dollar amount for fiscal year 2000–01 by \$120,000 for the
21 purpose of funding public education on financial matters.

1 **112.** Page 114, line 8: increase the dollar amount for fiscal year 1999–00 by
2 \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$250,000 for the
3 purpose for which the appropriation is made.

4 **113.** Page 114, line 8: after that line insert:

5 “(jm) Stray voltage research PR A 200,000 200,000”.

6 **114.** Page 117, line 4: increase the dollar amount for fiscal year 1999–00 by
7 \$100,000 to increase funding for the grants under SECTION 9105 (1c) of this act.

8 **115.** Page 117, line 7: decrease the dollar amount for fiscal year 1999–00 by
9 \$50,000 and decrease the dollar amount for fiscal year 2000–01 by \$50,000 to
10 decrease funding for the purpose for which the appropriation is made.

11 **116.** Page 117, line 8: after that line insert:

12 “(fm) Portage County Arts Alliance GPR A 50,000 –0–”.

13 **117.** Page 118, line 1: delete lines 1 to 4.

14 **118.** Page 119, line 6: increase the dollar amount for fiscal year 1999–00 by
15 \$1,186,100 and increase the dollar amount for fiscal year 2000–01 by \$1,186,100 to
16 increase funding for the purpose for which the appropriation is made.

17 **119.** Page 119, line 15: increase the dollar amount for fiscal year 1999–00 by
18 \$184,100 to increase funding for the purpose for which the appropriation is made.

19 **120.** Page 119, line 18: increase the dollar amount for fiscal year 1999–00 by
20 \$807,100 to increase funding for the purpose for which the appropriation is made.

21 **121.** Page 120, line 2: increase the dollar amount for fiscal year 1999–00 by
22 \$127,000 and increase the dollar amount for fiscal year 2000–01 by \$261,600 for the
23 purpose for which the appropriation is made.

1 **122.** Page 120, line 19: increase the dollar amount for fiscal year 1999–00 by
2 \$34,500 and increase the dollar amount for fiscal year 2000–01 by \$34,500 to
3 increase the authorized FTE positions for the higher educational aids board by 1.86
4 GPR positions.

5 **123.** Page 122, line 6: after that line insert:

6 “(c) Restoration of the state capital;

7 CD-ROM GPR B 50,000 –0–”.

8 **124.** Page 123, line 1: increase the dollar amount for fiscal year 1999–00 by
9 \$107,100 and increase the dollar amount for fiscal year 2000–01 by \$123,600 to
10 provide wage increases for limited term employees working at the historic sites.

11 **125.** Page 123, line 12: increase the dollar amount for fiscal year 1999–00 by
12 \$107,100 and increase the dollar amount for fiscal year 2000–01 by \$123,600 to
13 provide wage increases for limited term employees working at the historic sites.

14 **126.** Page 124, line 2: after that line insert:

15 “(b) Plover Heritage Park GPR B 50,000 –0–”.

16 **127.** Page 127, line 9: increase the dollar amount for fiscal year 2000–01 by
17 \$74,100 to increase the authorized FTE positions for the department of public
18 instruction by 1.0 GPR position for the program under section 118.43 of the statutes.

19 **128.** Page 127, line 9: increase the dollar amount for fiscal year 1999–00 by
20 \$112,800 and for fiscal year 2000–01 by \$131,400 to increase the authorized FTE
21 positions for the department of public instruction by 2.0 GPR positions for the
22 program under section 118.43 (8) of the statutes.

129. Page 127, line 11: delete “residential schools” and substitute “School for the Deaf and Center for the Blind and Visually Impaired”.

130. Page 127, line 12: after “costs” insert “; School for the Deaf and Center for the Blind and Visually Impaired”.

131. Page 127, line 15: increase the dollar amount for fiscal year 1999–00 by \$1,500,000 and increase the dollar amount for fiscal year 2000–01 by \$2,500,000 for development of the high school graduation test, to increase the authorized FTE positions for the department of public instruction by 2.0 GPR positions and to fund 4.0 FTE project positions authorized under SECTION 9139 (3d) of this act.

132. Page 128, line 1: delete “Residential schools” and substitute “School for the Deaf and Center for the Blind and Visually Impaired”.

133. Page 128, line 2: after that line insert:

“(gh) School for the Deaf and Center

for the Blind and Visually

Impaired; hospitalization	PR	C	–0–	–0–
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(gL) Center for the Blind and Visu-

ally Impaired; leasing of space	PR	C	–0–	–0–
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(gs) School for the Deaf and Center

for the Blind and Visually

Impaired; services	PR	C	–0–	–0–”.
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134. Page 128, line 3: delete “Residential schools” and substitute “School for the Deaf and Center for the Blind and Visually Impaired”.

135. Page 129, line 2: after that line insert:

1 “(q) Agricultural education consul-

2 tant SEG A 56,400 65,700”.

3 **136.** Page 129, line 4: after that line insert:

4 “(ad) Supplemental aid GPR A 125,000 125,000”.

5 **137.** Page 129, line 6: increase the dollar amount for fiscal year 1999–00 by
6 \$2,500,000 and increase the dollar amount for fiscal year 2000–01 by \$15,050,000 to
7 increase funding for the purposes for which the appropriation is made.

8 **138.** Page 129, line 7: after “programs” insert “and residential school
9 planning grant”.

10 **139.** Page 129, line 15: after that line insert:

11 “(cf) Alternative education grants GPR A –0– 5,000,000”.

12 **140.** Page 129, line 18: delete “Grants” and substitute “Reimbursement”.

13 **141.** Page 129, line 19: increase the dollar amount for fiscal year 2000–01 by
14 \$742,100 to increase funding for the purpose for which the appropriation is made.

15 **142.** Page 130, line 4: after that line insert:

16 “(cs) Aid for debt service GPR A –0– 3,000,000”.

17 **143.** Page 130, line 5: increase the dollar amount for fiscal year 2000–01 by
18 \$24,120,000 to increase funding for the purpose for which the appropriation is made.

19 **144.** Page 130, line 23: after that line insert:

20 “(fL) Foreign language instruction

21 grants GPR A –0– 350,000”.

1 **145.** Page 131, line 19: increase the dollar amount for fiscal year 1999–00 by
2 \$500,000 and increase the dollar amount for fiscal year 2000–01 by \$1,500,000 to
3 increase funding for the purpose for which the appropriation is made.

4 **146.** Page 133, line 1: delete lines 1 and 2.

5 **147.** Page 134, line 7: after “districts” insert “; grant”.

6 **148.** Page 134, line 16: increase the dollar amount for fiscal year 2000–01 by
7 \$97,500 to increase funding for international business development under section
8 36.25 (44) of the statutes.

9 **149.** Page 134, line 16: decrease the dollar amount for fiscal year 2000–01 by
10 \$1,081,300 to decrease funding for the purposes for which the appropriation is made.

11 **150.** Page 134, line 16: increase the dollar amount for fiscal year 2000–01 by
12 \$150,000 to increase funding for the purposes for which the appropriation is made.

13 **151.** Page 134, line 16: increase the dollar amount for fiscal year 2000–01 by
14 \$32,000,000 to increase funding for the purposes for which the appropriation is
15 made.

16 **152.** Page 135, line 2: decrease the dollar amount for fiscal year 2000–01 by
17 \$400 to decrease funding for the purpose for which the appropriation is made.

18 **153.** Page 135, line 3: increase the dollar amount for fiscal year 1999–00 by
19 \$575,000 and increase the dollar amount for fiscal year 2000–01 by \$575,000 to
20 increase funding for the purpose for which the appropriation is made.

21 **154.** Page 135, line 7: decrease the dollar amount for fiscal year 2000–01 by
22 \$100 to decrease funding for the purpose for which the appropriation is made.

155. Page 135, line 13: decrease the dollar amount for fiscal year 2000–01 by \$200 to decrease funding for the purpose for which the appropriation is made.

156. Page 135, line 14: decrease the dollar amount for fiscal year 2000–01 by \$300 to decrease funding for the purpose for which the appropriation is made.

157. Page 135, line 14: after that line insert:

“(ep) Extension local planning pro-

gram	GPR	A	20,000	161,800".
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158. Page 135, line 19: increase the dollar amount for fiscal year 1999–00 by \$400,000 for the purpose of purchasing a DNA probe machine.

159. Page 135, line 22: decrease the dollar amount for fiscal year 2000–01 by \$2,400 to decrease funding for the purpose for which the appropriation is made.

160. Page 136, line 1: increase the dollar amount for fiscal year 1999–00 by \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000 to increase funding for the purpose for which the appropriation is made.

161. Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by \$52,500 to increase funding for international business development under section 36.25 (44) of the statutes.

162. Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by \$256,400 to increase funding for precollege programs sponsored by the board of regents of the University of Wisconsin System.

163. Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by \$2,153,800 to increase funding for the purposes for which the appropriation is made.

164. Page 137, line 16: delete that line.

1 **165.** Page 137, line 17: delete that line.

2 **166.** Page 138, line 2: after that line insert:

3 “(qm) Grants to forestry cooperatives SEG A 50,000 50,000”.

4 **167.** Page 138, line 6: increase the dollar amount for fiscal year 1999–00 by
5 \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$200,000 to
6 increase the authorized FTE positions for the UW–Extension Solid and Hazardous
7 Waste Education Center by 3.0 SEG positions for educational and technical
8 assistance related to recycling and recycling market development.

9 **168.** Page 138, line 12: decrease the dollar amount for fiscal year 2000–01 by
10 \$1,000 to decrease funding for the purposes for which the appropriation is made.

11 **169.** Page 139, line 3: increase the dollar amount for fiscal year 2000–01 by
12 \$476,200 to increase funding for the purpose for which the appropriation is made.

13 **170.** Page 139, line 3: increase the dollar amount for fiscal year 2000–01 by
14 \$1,000,000 to increase funding for the purpose for which the appropriation is made.

15 **171.** Page 139, line 3: decrease the dollar amount for fiscal year 2000–01 by
16 \$6,100 to decrease funding for the purpose for which the appropriation is made.

17 **172.** Page 139, line 4: increase the dollar amount for fiscal year 1999–00 by
18 \$43,900 and increase the dollar amount for fiscal year 2000–01 by \$90,500 for the
19 purpose for which the appropriation is made.

20 **173.** Page 139, line 6: increase the dollar amount for fiscal year 1999–00 by
21 \$112,700 to increase funding for the purpose for which the appropriation is made.

22 **174.** Page 140, line 10: delete that line.

175. Page 140, line 12: increase the dollar amount for fiscal year 1999–00 by \$1,315,000 and increase the dollar amount for fiscal year 2000–01 by \$2,685,000 to increase funding for the purpose for which the appropriation is made.

176. Page 140, line 13: increase the dollar amount for fiscal year 1999–00 by \$196,900 and increase the dollar amount for fiscal year 2000–01 by \$393,700 to increase funding for the purposes for which the appropriation is made.

177. Page 141, line 2: after that line insert:

“(ec)	Milwaukee Enterprise Center	GPR	A	25,000	25,000”.
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178. Page 141, line 5: after that line insert:

“(ep)	Grants to students	GPR	A	–0–	6,600,000
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(er)	Grants for additional course sec-				
	tions	GPR	A	–0–	2,200,000”.

179. Page 142, line 8: after that line insert:

“(q)	Agricultural education consul-				
	tant	SEG	A	41,600	47,600”.

180. Page 144, line 6: after that line insert:

“(q)	Safe drinking water loan pro-				
	gram revenue obligation funding	SEG	C	–0–	–0–

(r)	Safe drinking water loan pro-				
	gram repayment of revenue				
	obligations	SEG	S	–0–	–0–”.

181. Page 144, line 8: after that line insert:

1 “(u) Principal repayment and inter-
2 est — safe drinking water loan
3 program revenue obligation
4 repayment SEG C –0– –0–”.

5 **182.** Page 145, line 14: decrease the dollar amount for fiscal year 1999–00 by
6 \$16,100 and decrease the dollar amount for fiscal year 2000–01 by \$16,100 to
7 eliminate funding for overtime work.

8 **183.** Page 147, line 8: increase the dollar amount for fiscal year 1999–00 by
9 \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000 for the
10 purpose of increasing funding for LTE enforcement positions within the bureau of
11 facilities and lands of the Mazomanie unit of the lower Wisconsin state riverway.

12 **184.** Page 147, line 22: increase the dollar amount for fiscal year 1999–00 by
13 \$16,100 and increase the dollar amount for fiscal year 2000–01 by \$16,100 to
14 increase funding for overtime work.

15 **185.** Page 147, line 23: increase the dollar amount for fiscal year 1999–00 by
16 \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000, and
17 adjust the NET APPROPRIATION accordingly, to develop and operate an urban
18 family outdoor skills program.

19 **186.** Page 147, line 24: increase the dollar amount for fiscal year 1999–00 by
20 \$32,300 and increase the dollar amount for fiscal year 2000–01 by \$43,000, and
21 adjust the net appropriation totals accordingly, to increase the authorized FTE
22 positions for the department of natural resources by 1.0 SEG wildlife biologist
23 position in Marathon County.

1 **187.** Page 148, line 1: decrease the dollar amount for fiscal year 1999–00 by
2 \$75,000 and decrease the dollar amount for fiscal year 2000–01 by \$75,000, and
3 adjust the NET APPROPRIATION totals accordingly, for the purpose of reducing
4 funding for educational materials relating to shoreland vegetation.

5 **188.** Page 148, line 1: increase the dollar amount for fiscal year 1999–00 by
6 \$224,400 and increase the dollar amount for fiscal year 2000–01 by \$224,400, and
7 adjust the NET APPROPRIATION accordingly, for the purpose of increasing funding
8 for limited term employe positions related to the federal excess personal property
9 program.

10 **189.** Page 149, line 2: increase the dollar amount for fiscal year 1999–00 by
11 \$581,200 and increase the dollar amount for fiscal year 2000–01 by \$581,100 to
12 increase the authorized FTE positions for the department by 8.0 PR for air
13 management.

14 **190.** Page 150, line 24: after that line insert:

15 “(fq) Indemnification agreements SEG S –0– –0–”.

16 **191.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by
17 \$325,000 and increase the dollar amount for fiscal year 2000–01 by \$325,000 to
18 increase funding for upgrading the department of natural resources’ computers
19 related to the administration of this state’s recycling laws.

20 **192.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by
21 \$15,000 to increase the authorized FTE positions for the department of natural
22 resources by 0.25 SEG position for administration of this state’s recycling laws, and
23 increase the dollar amount for fiscal year 2000–01 by \$480,000 to increase the

1 authorized FTE positions for the department of natural resources by 8.0 SEG
2 positions for administration of this state's recycling laws.

3 **193.** Page 151, line 5: after that line insert:

4 “(hr) Study of landfill remediation SEG A 200,000 –0–”.

5 **194.** Page 153, line 6: decrease the dollar amount for fiscal year 1999–00 by
6 \$230,100 and decrease the dollar amount for fiscal year 2000–01 by \$230,100 to
7 eliminate funding for overtime work.

8 **195.** Page 153, line 23: increase the dollar amount for fiscal year 1999–00 by
9 \$230,100 and increase the dollar amount for fiscal year 2000–01 by \$230,100 to
10 increase funding for overtime work.

11 **196.** Page 158, line 14: increase the dollar amount for fiscal year 1999–00 by
12 \$175,000 and increase the dollar amount for fiscal year 2000–01 by \$260,000 for the
13 purposes for which the appropriation is made.

14 **197.** Page 159, line 10: increase the dollar amount for fiscal year 1999–00 by
15 \$10,000 to provide funding for scenic development along the St. Croix River adjacent
16 to the wastewater treatment plant that is located on STH 35.

17 **198.** Page 160, line 14: increase the dollar amount for fiscal year 1999–00 by
18 \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$250,000 for the
19 purpose for which the appropriation is made.

20 **199.** Page 160, line 19: delete that line.

21 **200.** Page 161, line 3: decrease the dollar amount for fiscal year 2000–01 by
22 \$3,500,000 to decrease funding for the purpose for which the appropriation is made.

201. Page 161, line 7: decrease the dollar amount for fiscal year 1999–00 by \$170,000 and decrease the dollar amount for fiscal year 2000–01 by \$2,711,300 to decrease funding for the purpose for which the appropriation is made.

202. Page 162, line 4: delete lines 4 and 5.

203. Page 162, line 8: decrease the dollar amount for fiscal year 1999–00 by \$1,000,000 to decrease the funding for the purpose for which the appropriation is made.

204. Page 162, line 10: after that line insert:

“(bu) Financial assistance for respon-

sible units	SEG	A	37,800,000	37,800,000
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”.

205. Page 162, line 14: increase the dollar amount for fiscal year 1999–00 by \$130,000 to increase funding for the purposes for which the appropriation is made.

206. Page 163, line 9: increase the dollar amounts for fiscal year 1999–00 by \$130,000 for the purpose for which the appropriation is made.

207. Page 163, line 9: after that line insert:

“(es) Environmental aids — urban

development, conservation fund	SEG	B	70,000	–0–”.
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208. Page 163, line 17: after that line insert:

“(ag) Land acquisition — principal

repayment and interest	PR	C	–0–	–0–”.
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1 **209.** Page 164, line 10: increase the dollar amount for fiscal year 1999–00 by
2 \$1,000,000 and increase the dollar amount for fiscal year 2000–01 by \$1,000,000 for
3 the purpose for which the appropriation is made.

4 **210.** Page 165, line 18: increase the dollar amount for fiscal year 2000–01 by
5 \$1,000,000 for development of a state park that will provide access to Lake Michigan
6 in the city of Milwaukee.

7 **211.** Page 167, line 4: increase the dollar amount for fiscal year 1999–00 by
8 \$199,800 and increase the dollar amount for fiscal year 2000–01 by \$199,800 to
9 increase funding for the purpose for which the appropriation is made.

10 **212.** Page 167, line 6: decrease the dollar amount for fiscal year 1999–00 by
11 \$10,500 and decrease the dollar amount for fiscal year 2000–01 by \$10,500 to
12 eliminate funding for overtime work.

13 **213.** Page 167, line 6: after that line insert:
14 “(mc) General fund transfer GPR S –0– –0–”.

15 **214.** Page 167, line 19: increase the dollar amount for fiscal year 1999–00 by
16 \$10,500 and increase the dollar amount for fiscal year 2000–01 by \$10,500 to
17 increase funding for overtime work.

18 **215.** Page 169, line 2: increase the dollar amount for fiscal year 1999–00 by
19 \$60,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to
20 increase the authorized FTE positions for the department of natural resources by 1.0
21 SEG recycling grant administrator position.

1 **216.** Page 171, line 5: decrease the dollar amount for fiscal year 1999–00 by
2 \$800,000 and decrease the dollar amount for fiscal year 2000–01 by \$800,000 to
3 decrease funding for the purposes for which the appropriation is made.

4 **217.** Page 171, line 6: after that line insert:

5 “(c) Internet referral system grants GPR B 50,000 –0–”.

6 **218.** Page 173, line 6: increase the dollar amount for fiscal year 1999–00 by
7 \$295,200 and increase the dollar amount for fiscal year 2000–01 by \$173,100 to
8 increase funding for the purpose for which the appropriation is made.

9 **219.** Page 173, line 8: increase the dollar amount for fiscal year 1999–00 by
10 \$929,000 and increase the dollar amount for fiscal year 2000–01 by \$545,100 to
11 increase funding for the purpose for which the appropriation is made.

12 **220.** Page 174, line 4: increase the dollar amount for fiscal year 2000–01 by
13 \$8,500 for the purpose of increasing funding for specialized transportation capital
14 assistance for the elderly and disabled.

15 **221.** Page 174, line 6: increase the dollar amount for fiscal year 2000–01 by
16 \$68,900 for the purpose of increasing funding for specialized transportation
17 assistance for the elderly and disabled.

18 **222.** Page 174, line 19: increase the dollar amount for fiscal year 1999–00 by
19 \$35,000 and increase the dollar amount for fiscal year 2000–01 by \$70,000 to
20 increase funding for traffic policing services provided by the Milwaukee County
21 sheriff on STH 794.

22 **223.** Page 176, line 6: increase the dollar amount for fiscal year 1999–00 by
23 \$371,300 to increase funding for the purposes for which the appropriation is made.

1 **224.** Page 177, line 4: decrease the dollar amount for fiscal year 1999–00 by
2 \$75,000 and decrease the dollar amount for fiscal year 2000–01 by \$75,000 for the
3 purpose of discretionary town road improvements under section 86.31 (3m) of the
4 statutes, as affected by this act.

5 **225.** Page 177, line 4: increase the dollar amount for fiscal year 1999–00 by
6 \$500,000 to increase funding for the purpose for which the appropriation is made.

7 **226.** Page 177, line 4: increase the dollar amount for fiscal year 1999–00 by
8 \$1,250,000 and increase the dollar amount for fiscal year 2000–01 by \$750,000 to
9 increase funding for discretionary municipal street improvements under section
10 86.31 (3r) of the statutes, as created by this act.

11 **227.** Page 177, line 4: increase the dollar amount for fiscal year 1999–2000
12 by \$500,000 to increase funding for discretionary town road improvements under
13 section 86.31 (3m) of the statutes, as affected by this act.

14 **228.** Page 177, line 17: increase the dollar amount for fiscal year 1999–00 by
15 \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$250,000 for the
16 purpose of increasing funding for railroad crossing improvement projects.

17 **229.** Page 179, line 3: after that line insert:
18 “(ox) Bicycle and pedestrian facilities
19 grants, federal funds SEG–F C –0– –0–”.

20 **230.** Page 179, line 16: decrease the dollar amount for fiscal year 1999–00 by
21 \$6,419,600 to decrease funding for the purpose for which the appropriation is made.

231. Page 180, line 4: decrease the dollar amount for fiscal year 1999–00 by \$900,000 and increase the dollar amount for fiscal year 2000–01 by \$900,000 for the purpose of complying with storm water regulations.

232. Page 180, line 4: decrease the dollar amount for fiscal year 1999–00 by \$371,300 to decrease funding for the purposes for which the appropriation is made.

233. Page 180, line 14: after that line insert:

“(gq) Intelligent transportation sys-

tems, state funds	SEG	A	–0–	–0–
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(gv) Intelligent transportation sys-

tems, local funds	SEG–L	C	–0–	–0–
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(gx) Intelligent transportation sys-

tems, federal funds	SEG–F	C	–0–	–0–”.
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234. Page 181, line 3: increase the dollar amount for fiscal year 1999–00 by \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000 to increase funding for payments to University of Wisconsin–Extension for contracts entered into under SECTION 9150 (2bt) of this act.

235. Page 182, line 10: delete that line.

236. Page 182, line 13: decrease the dollar amount for fiscal year 1999–00 by \$657,900 and decrease the dollar amount for fiscal year 2000–01 by \$657,900 to reduce the authorized FTE positions for the department of transportation related to processing requests to suspend or revoke operators’ licenses for failure to pay fines or forfeitures by 2.0 SEG positions on the effective date of this act.

237. Page 183, line 7: increase the dollar amount for fiscal year 2000–01 by \$30,400 to increase the authorized FTE positions by 4.0 SEG positions for installing radio equipment in state patrol vehicles.

238. Page 183, line 7: increase the dollar amount for fiscal year 1999–00 by \$28,000 and increase the dollar amount for fiscal year 2000–01 by \$28,000 to increase funding for purchasing strobe lighting equipment and installing that equipment in state patrol vehicles.

239. Page 185, line 3: decrease the dollar amount for fiscal year 1999–00 by \$3,200 for the purpose of reducing by 5 the number of digital cameras to be purchased for use in connection with the sex offender registry.

240. Page 185, line 8: decrease the dollar amount for fiscal year 1999–00 by \$949,000 and decrease the dollar amount for fiscal year 2000–01 by \$1,135,000 for the purpose of decreasing funding for services for community corrections.

241. Page 186, line 17: increase the dollar amount for fiscal year 1999–00 by \$949,000 and increase the dollar amount for fiscal year 2000–01 by \$1,135,000 for the purpose of increasing funding for probation, parole and extended supervision.

242. Page 188, line 1: after that line insert:

“(qm) Computer recycling	SEG	A	500,000	500,000”.
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243. Page 193, line 1: increase the dollar amount for fiscal year 1999–00 by \$250,000 for the purpose of providing a grant to the City of Milwaukee for the purchase of a DNA probe machine.

244. Page 193, line 16: delete lines 16 and 17.

1 **245.** Page 195, line 2: increase the dollar amount for fiscal year 1999–00 by
2 \$145,500 and increase the dollar amount for fiscal year 2000–01 by \$415,200 for the
3 purpose of increasing funding for the provision of services to children with special
4 needs to prepare those children for adoption and for the provision of services to
5 children with special needs who have been adopted.

6 **246.** Page 195, line 3: increase the dollar amount for fiscal year 1999–00 by
7 \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$100,000 for the
8 purpose of providing a grant for children’s community programs to Kenosha Area
9 Family and Aging Services, Inc., for the provision of home visiting services for
10 mothers who are under 18 years of age under that organization’s healthy families
11 program.

12 **247.** Page 195, line 3: increase the dollar amount for fiscal year 1999–00 by
13 \$50,000 and increase the dollar amount for fiscal year 2000–01 by \$50,000 for the
14 purpose of providing a grant for children’s community programs to the children’s safe
15 house child care program in Kenosha County for the operation of that program.

16 **248.** Page 195, line 16: decrease the dollar amount for fiscal year 1999–00 by
17 \$145,500 and decrease the dollar amount for fiscal year 2000–01 by \$415,200 for the
18 purpose of decreasing funding for the provision of services to children with special
19 needs to prepare those children for adoption and for the provision of services to
20 children with special needs who have been adopted.

21 **249.** Page 198, line 8: increase the dollar amount for fiscal year 1999–00 by
22 \$22,500 and increase the dollar amount for fiscal year 2000–01 by \$25,500 to
23 increase the authorized FTE positions for the department of health and family
24 services by 0.5 GPR project position, for the period ending on June 30, 2001, for the

1 purpose of developing a managed care pilot program that integrates the social,
2 behavioral and physical health needs of children placed in out-of-home care in
3 Milwaukee County who are medical assistance recipients.

4 **250.** Page 198, line 14: decrease the dollar amount for fiscal year 1999–00 by
5 \$91,900 and decrease the dollar amount for fiscal year 2000–01 by \$100,100 for the
6 purpose for which the appropriation is made.

7 **251.** Page 198, line 14: increase the dollar amount for fiscal year 1999–00 by
8 \$184,300 and increase the dollar amount for fiscal year 2000–01 by \$230,700 to
9 increase medical assistance reimbursement rates for services provided to children
10 by nurses in independent practice to the same level as medical assistance
11 reimbursement rates for private duty nursing services provided to children by home
12 health agencies.

13 **252.** Page 198, line 14: increase the dollar amount for fiscal year 2000–01 by
14 \$159,100 for the purpose for which the appropriation is made.

15 **253.** Page 198, line 14: increase the dollar amount for fiscal year 1999–00 by
16 \$1,722,500 and increase the dollar amount for fiscal year 2000–01 by \$2,277,500 to
17 supplement hourly medical assistance reimbursement rates for facility
18 housekeeping and laundry workers, dietitians and food workers.

19 **254.** Page 198, line 14: increase the dollar amount for fiscal year 2000–01 by
20 \$776,000 to supplement hourly medical assistance reimbursement rates for workers
21 providing in-home personal care services by \$.25.

22 **255.** Page 198, line 14: decrease the dollar amount for fiscal year 1999–00 by
23 \$1,000,000 and increase the dollar amount for fiscal year 2000–01 by \$1,000,000 to
24 increase funding for supplemental payments for hospitals.

1 **256.** Page 199, line 4: after “care” insert “and graduate medical education”.

2 **257.** Page 199, line 9: decrease the dollar amount for fiscal year 1999–00 by
3 \$60,000 to decrease funding for development of voluntarily provided health plan
4 data collection.

5 **258.** Page 199, line 9: increase the dollar amount for fiscal year 1999–00 by
6 \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$500,000 to
7 increase the authorized FTE positions for the department of health and family
8 services by 3.5 PR positions to support the collection, analysis and dissemination of
9 physician–patient encounter data under chapter 153 of the statutes.

10 **259.** Page 200, line 16: increase the dollar amount for fiscal year 1999–00 by
11 \$50,000 and increase the dollar amount for fiscal year 2000–01 by \$50,000 to
12 increase funding for HIV prevention services.

13 **260.** Page 201, line 21: increase the dollar amount for fiscal year 1999–00 by
14 \$25,000 and increase the dollar amount for fiscal year 2000–01 by \$25,000 for the
15 purpose of making a grant to HealthNet of Janesville, Inc. under section 250.15 (2)
16 (c) of the statutes.”.

17 **261.** Page 202, line 14: delete that line.

18 **262.** Page 202, line 18: increase the dollar amount for fiscal year 2000–01 by
19 \$23,000 to increase funding beginning on January 1, 2001, for long–term support
20 community options program quality assurance.

21 **263.** Page 203, line 19: increase the dollar amount for fiscal year 1999–00 by
22 \$21,500 and increase the dollar amount for fiscal year 2000–01 by \$25,200 for the

1 purpose of funding a field license specialist instead of a program assistant for
2 certification activities related to mental health treatment providers.

3 **264.** Page 203, line 21: after that line insert:

4 “(kd) Rehabilitation teaching adminis-

5 tration PR-S C 100,000 100,000”.

6 **265.** Page 204, line 4: increase the dollar amount for fiscal year 1999–00 by
7 \$116,400 and increase the dollar amount for fiscal year 2000–01 by \$349,300 to
8 increase funding for Alzheimer’s family and caregiver support under section 46.40
9 (8) of the statutes.

10 **266.** Page 204, line 4: increase the dollar amount for fiscal year 1999–00 by
11 \$1,200,000 and increase the dollar amount for fiscal year 2000–01 by \$5,625,000 to
12 increase funding for community aids.

13 **267.** Page 204, line 5: increase the dollar amount for fiscal year 1999–00 by
14 \$5,000,000 and increase the dollar amount for fiscal year 2000–01 by \$5,000,000 for
15 substance abuse treatment grants.

16 **268.** Page 204, line 7: increase the dollar amount for fiscal year 2000–01 by
17 \$1,977,000 to increase funding, beginning on January 1, 2001, for 407 long-term
18 support community options program placements under section 46.27 (11) of the
19 statutes and 174 such placements under section 46.27 (7) of the statutes, in counties
20 that are not specified in section 46.281 (1) (d) of the statutes, as created by this act.

21 **269.** Page 204, line 18: increase the dollar amount for fiscal year 2000–01 by
22 \$62,500 for the purpose for which the appropriation is made.

23 **270.** Page 208, line 1: before that line insert:

“20.436 Tobacco control board**(1) SMOKING CESSATION AND EDUCATION**

(g)	Gifts and grants	PR	C	–0–	–0–
(tb)	General program operations	SEG	B	400,000	400,000
(tc)	Grants	SEG	C	2,092,000	23,100,000

”.

271. Page 212, line 9: increase the dollar amount for fiscal year 2000–01 by \$200,000 for the purpose of accounting for money lost by foregoing recovery of overpayments made under the aid to families with dependent children program.

272. Page 212, line 10: increase the dollar amount for fiscal year 2000–01 by \$568,800 for the purpose of providing increased funeral and burial expense payments.

273. Page 212, line 10: decrease the dollar amount for fiscal year 1999–00 by \$5,000,000 and decrease the dollar amount for fiscal year 2000–01 by \$5,000,000 for the purpose for which the appropriation is made.

274. Page 213, line 7: decrease the dollar amount for fiscal year 1999–00 by \$14,900 and decrease the dollar amount for fiscal year 2000–01 by \$19,800 to reduce the authorized FTE positions for the department of workforce development by 1.0 PR position.

275. Page 213, line 13: increase the dollar amount for fiscal year 1999–00 by \$45,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to increase funding for the transfer to the appropriation account under section 20.435

1 (3) (kx) of the statutes for the community marriage policy project under 1999
2 Wisconsin Act (this act), section 9123 (14g).

3 **276.** Page 213, line 13: increase the dollar amount for fiscal year 1999–00 by
4 \$40,700 and increase the dollar amount for fiscal year 2000–01 by \$54,300 to
5 increase funding for the purpose of providing increased oversight of the kinship care
6 program under section 48.57 (3m) to (3t) of the statutes, as affected by this act.

7 **277.** Page 213, line 14: decrease the dollar amount for fiscal year 1999–00 by
8 \$650,000 and decrease the dollar amount for fiscal year 2000–01 by \$650,000 to
9 reflect the elimination of the individual development account program.

10 **278.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
11 \$130,000 and increase the dollar amount for fiscal year 2000–01 by \$150,000 for the
12 purpose of making child care subsidy payments.

13 **279.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
14 \$3,000,000 and increase the dollar amount for fiscal year 2000–01 by \$3,000,000 for
15 the provision of credit assistance and credit repair assistance to Wisconsin works
16 participants.

17 **280.** Page 213, line 14: increase the dollar amount for fiscal year 2000–01 by
18 \$56,300 for the purpose of providing increased funeral and burial expense payments.

19 **281.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
20 \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$200,000 for the
21 purpose of providing benefits under the Wisconsin works program.

1 **282.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
2 \$313,782,400 and decrease the dollar amount for fiscal year 2000–01 by \$96,455,300
3 for the purpose for which the appropriation is made.

4 **283.** Page 213, line 14: decrease the dollar amount for fiscal year 1999–00 by
5 \$17,000,000 and decrease the dollar amount for fiscal year 2000–01 by \$7,000,000
6 for the purpose of reflecting a reestimate of the amount of earned income tax credits
7 eligible to be paid from temporary assistance for needy families funds.

8 **284.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
9 \$5,000,000 and increase the dollar amount for fiscal year 2000–01 by \$5,000,000 for
10 substance abuse treatment services.

11 **285.** Page 217, line 8: increase the dollar amount for fiscal year 1999–00 by
12 \$2,000,000 and increase the dollar amount for fiscal year 2000–01 by \$2,000,000 to
13 increase funding for the purpose for which the appropriation is made.

14 **286.** Page 217, line 17: after that line insert:
15 “(kd) Transfer of Indian gaming
16 receipts; tribal work-based
17 learning programs PR–S A 600,000 600,000”.

18 **287.** Page 218, line 3: increase the dollar amount for fiscal year 1999–00 by
19 \$58,400 and increase the dollar amount for fiscal year 2000–01 by \$58,400 for the
20 purpose of increasing the authorized FTE positions of the department of justice by
21 1.0 GPR attorney position to prosecute sexually violent person commitment cases.

22 **288.** Page 219, line 2: increase the dollar amount for fiscal year 1999–00 by
23 \$113,100 and increase the dollar amount for fiscal year 2000–01 by \$172,300 for the

1 purpose of increasing the authorized FTE positions for the department of justice
2 effective January 1, 2000, by 2.0 GPR special agents and 1.0 GPR program and
3 planning analyst to investigate the manufacture and trafficking of the controlled
4 substance methamphetamine.

5 **289.** Page 219, line 2: increase the dollar amount for fiscal year 1999–00 by
6 \$41,500 and increase the dollar amount for fiscal year 2000–01 by \$19,300 for the
7 purpose of changing the starting date of 1.0 GPR special agent position to January
8 1, 2000.

9 **290.** Page 219, line 13: after that line insert:

10 “(fm) Gaming law enforcement GPR A 226,000 226,700”.

11 **291.** Page 219, line 17: decrease the dollar amount for fiscal year 1999–00 by
12 \$22,500 and decrease the dollar amount for fiscal year 2000–01 by \$22,500 for the
13 purpose of reducing funding for travel expenses incurred in providing investigative
14 services for Indian gaming under chapter 569 of the statutes.

15 **292.** Page 221, line 5: decrease the dollar amount for fiscal year 1999–00 by
16 \$226,000 and decrease the dollar amount for fiscal year 2000–01 by \$226,700 to
17 decrease the number of authorized FTE positions by 2.75 SEG positions and for the
18 purpose of reducing funding for gaming enforcement.

19 **293.** Page 224, line 3: delete that line and substitute:

20 “(a) Tuition grants GPR B 3,589,400 3,589,400”.

21 **294.** Page 224, line 5: increase the dollar amount for fiscal year 1999–00 by
22 \$110,000 to increase funding for the purpose of purchasing infrared optical
23 equipment to search for individuals who are lost.

1 **295.** Page 226, line 9: increase the dollar amount for fiscal year 1999–00 by
2 \$108,300 and increase the dollar amount for fiscal year 2000–01 by \$144,300 for the
3 purpose of increasing the authorized FTE positions for the department of
4 administration by 3.0 GPR positions on October 1, 1999, for assistant district
5 attorneys as follows: 2.0 positions for Dane County; 0.5 position for Kenosha County;
6 and 0.5 position for Portage County.

7 **296.** Page 227, line 5: delete “HOMES” and substitute “HOME AND FACILITIES”.

8 **297.** Page 227, line 14: increase the dollar amount for fiscal year 1999–00 by
9 \$11,000 and increase the dollar amount for fiscal year 2000–01 by \$999,600 to
10 increase the FTE positions by 1.0 PR position on January 1, 2000, and by 16.0 PR
11 positions on March 1, 2000, for the purpose of operating a community-based
12 residential facility for veterans at the Southern Wisconsin Veterans Retirement
13 Center.

14 **298.** Page 228, line 12: increase the dollar amount for fiscal year 1999–00 by
15 \$108,500 and increase the dollar amount for fiscal year 2000–01 by \$130,300 to
16 increase the FTE positions in the department of veterans affairs by 2.5 GPR positions
17 for the purpose of integrating the national guard museum at Volk Field with the
18 Wisconsin veterans museum.

19 **299.** Page 229, line 21: increase the dollar amount for fiscal year 1999–2000
20 by \$88,500 and increase the dollar amount for fiscal year 2000–01 by \$74,500 to
21 increase the FTE positions by 1.0 SEG project position for the purpose of overseeing
22 and coordinating the renovation and construction projects at the facilities for
23 veterans at the Southern Wisconsin Veterans Retirement Center.

300. Page 230, line 8: decrease the dollar amount for fiscal year 1999–00 by \$108,500 and decrease the dollar amount for fiscal year 2000–01 by \$130,300 to decrease the FTE positions in the department of veterans affairs by 2.5 SEG positions to remove the integration of the national guard museum at Volk Field with the Wisconsin veterans museum.

301. Page 230, line 8: increase the dollar amount for fiscal year 1999–00 by \$37,200 and increase the dollar amount for fiscal year 2000–01 by \$39,800 to increase the FTE positions of the department of veterans affairs by 1.0 SEG curator positions for the purpose of managing the historical artifact collections of the Wisconsin veterans museum.

302. Page 235, line 3: increase the dollar amount for fiscal year 1999–00 by \$250,000 for the purpose of funding a statewide complete census count program and to increase the authorized FTE positions for the department of administration by 1.0 GPR project position for the period ending on June 30, 2000, for coordination of the program.

303. Page 235, line 4: delete lines 4 and 5.

304. Page 235, line 9: delete lines 9 and 10.

305. Page 235, line 10: after that line insert:

“(e) Census education assistance GPR B 600,000 –0–”.

306. Page 235, line 10: after that line insert:

“(cm) Comprehensive planning grants GPR A –0– 1,500,000

(cn) Comprehensive planning;

administrative support GPR A 12,500 50,000”.

307. Page 235, line 12: delete lines 12 and 13.

308. Page 235, line 18: after that line insert:

“(ge) High-voltage transmission line

annual impact fee distributions	PR	C	–0–	–0–
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(gs) High-voltage transmission line

environmental impact fee dis-

tributions	PR	C	–0–	–0–”.
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309. Page 236, line 15: decrease the dollar amount for fiscal year 1999–00 by \$749,300 and decrease the dollar amount for fiscal year 2000–01 by \$765,400 to decrease funding for the purpose for which the appropriation is made.

310. Page 236, line 22: delete lines 22 and 23.

311. Page 237, line 1: delete lines 1 and 2.

312. Page 237, line 21: delete lines 21 and 22.

313. Page 237, line 22: after that line insert:

“(kw) Grant to Heritage Military

Music Foundation	PR–S	A	85,300	–0–”.
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314. Page 238, line 5: after that line insert:

“(s) Wisconsin sesquicentennial com-

mission; payment of obligations	SEG	C	–0–	–0–”.
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315. Page 239, line 11: delete lines 11 and 12.

316. Page 240, line 5: after that line insert:

1 “(e) Technical college capacity build-
2 ing program GPR A –0– 5,000,000”.

3 **317.** Page 240, line 6: after that line insert:

4 “(fm) National and community service
5 board; Wisconsin promise chal-
6 lenge grants GPR C –0– –0–”.

7 **318.** Page 240, line 9: after that line insert:

8 “(j) National and community service
9 board; gifts and grants PR C –0– –0–”.

10 **319.** Page 240, line 14: after that line insert:

11 “(o) National and community service
12 board; federal aid for adminis-
13 tration PR–F A 194,600 194,600

14 (p) National and community service
15 board; federal aid for grants PR–F C –0– –0–”.

16 **320.** Page 241, line 1: delete lines 1 to 3.

17 **321.** Page 242, line 9: increase the dollar amount for fiscal year 1999–00 by
18 \$125,000 and increase the dollar amount for fiscal year 2000–01 by \$125,000 for the
19 purpose of funding grants to the Lac Courte Oreilles Chippewa Indian tribe for the
20 development of law enforcement capabilities.

21 **322.** Page 244, line 13: decrease the dollar amount for fiscal year 1999–00 by
22 \$247,400 and decrease the dollar amount for fiscal year 2000–01 by \$247,400 to
23 decrease the authorized FTE positions by 4.0 PR positions for the department of

administration and to decrease the funding for general program operations for raffles and crane games.

323. Page 244, line 13: delete “charitable” and substitute “raffles”.

324. Page 244, line 13: after that line insert:

“(jm) General program operations;

bingo	PR	A	247,400	247,400”.
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325. Page 244, line 13: after that line insert:

“(10) UTILITY PUBLIC BENEFITS

(q) General program operations	SEG	A	–0–	–0–
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(r) Low-income assistance grants	SEG	S	–0–	–0–
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(s) Energy conservation and efficiency and renewable resource

grants	SEG	S	–0–	–0–
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(11) AIR QUALITY IMPROVEMENT PROGRAM

(r) Air quality improvement grants	SEG	S	–0–	–0–”.
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326. Page 245, line 1: delete lines 1 to 3.

327. Page 245, line 7: decrease the dollar amount for fiscal year 1999–00 by \$47,000 and decrease the dollar amount for fiscal year 2000–01 by \$47,000 for the purpose of providing general project development consultant services.

328. Page 245, line 7: increase the dollar amount for fiscal year 1999–00 by \$43,600 and increase the dollar amount for fiscal year 2000–01 by \$50,400 for the purpose of increasing the authorized FTE positions for the board of commissioners

of public lands by 1.0 PR information technology position to provide information technology services for the board.

329. Page 245, line 7: increase the dollar amount for fiscal year 1999–00 by \$128,200 and increase the dollar amount for fiscal year 2000–01 by \$148,900 for the purpose of implementing the board of commissioners of public land’s graphical user interface project and imaging systems enhancement project.

330. Page 246, line 2: increase the dollar amount for fiscal year 1999–00 by \$12,000 for the purpose of increasing funding for leasing a photocopier.

331. Page 246, line 15: delete that line and substitute:

“(jm) Employe development and train-

ing services	PR	A	296,600	303,700”.
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332. Page 248, line 9: after that line insert:

“(v) Provision of benefits	SEG	B	1,575,700	584,100”.
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333. Page 248, line 10: increase the dollar amount for fiscal year 1999–00 by \$405,700 and increase the dollar amount for fiscal year 2000–01 by \$150,900 for the purpose of funding imaging project costs for the department of employe trust funds.

334. Page 248, line 10: after that line insert:

“(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE

PROGRAM

(a) Private employer health care

coverage program; operating

costs	GPR	B	200,000	–0–
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(b) Grant for program administra-
tor's costs

GPR B 200,000 –0–

(g) Private employer health care
coverage plan

PR C –0– –0–.

335. Page 249, line 10: delete “state agencies” and substitute “department of workforce development”.

336. Page 250, line 3: delete “A” and substitute “C”.

337. Page 250, line 3: delete “13,161,800” and substitute “–0–”.

338. Page 250, line 3: delete “15,328,600” and substitute “–0–”.

339. Page 251, line 10: increase the dollar amount for fiscal year 1999–00 by \$97,800 and increase the dollar amount for fiscal year 2000–01 by \$126,300 for the purpose of increasing the authorized FTE positions of the public defender board by 3.0 GPR paralegal positions.

340. Page 253, line 7: after that line insert:

“(q) Recycling surcharge administra-
tion

SEG A 123,000 245,900”.

341. Page 253, line 13: after that line insert:

“(am) Lottery and gaming credit
administration

GPR A 173,900 186,400”.

342. Page 254, line 7: decrease the dollar amount for fiscal year 1999–00 by \$43,300 and decrease the dollar amount for fiscal year 2000–01 by \$33,500 for the purpose of reducing funding for lottery credit administration.

343. Page 255, line 8: after that line insert:

1	“(a) General program operations	GPR	A	21,095,800	21,095,800
2	(b) Retailer compensation	GPR	S	–0–	–0–
3	(c) Vendor fees	GPR	S	–0–	–0–”.

4 **344.** Page 255, line 9: decrease the dollar amount for fiscal year 1999–00 by
5 \$21,095,800 and decrease the dollar amount for fiscal year 2000–01 by \$21,095,800
6 to decrease the authorized FTE positions by 110.5 SEG positions and for the purpose
7 of decreasing the funding for general program operations for the lottery.

8 **345.** Page 258, line 7: increase the dollar amount for fiscal year 1999–00 by
9 \$2,250,000 and increase the dollar amount for fiscal year 2000–01 by \$2,250,000 for
10 the purpose for which the appropriation is made.

11 **346.** Page 260, line 7: increase the dollar amount for fiscal year 2000–01 by
12 \$37,800 for computer equipment and maintenance for the new Waupaca circuit court
13 branch.

14 **347.** Page 262, line 14: increase the dollar amount for fiscal year 1999–00 by
15 \$41,700 and increase the dollar amount for fiscal year 2000–01 by \$41,700 to
16 increase the authorized FTE positions for the legislative audit bureau by 1.0 GPR
17 auditor position.

18 **348.** Page 265, line 3: after that line insert:

19 “(dn) Farmland tax relief credit GPR S –0– –0–”.

20 **349.** Page 265, line 6: after that line insert:

21 “(ka) Farmland tax relief credit;

22 Indian gaming receipts PR–S C –0– –0–”.

1 **350.** Page 265, line 9: decrease the dollar amount for fiscal year 1999–00 by
2 \$7,000,000 and decrease the dollar amount for fiscal year 2000–01 by \$7,000,000 for
3 the purpose for which the appropriation is made.

4 **351.** Page 266, line 4: increase the dollar amount for fiscal year 2000–01 by
5 \$5,374,200 to increase funding for the purpose of making payments to municipalities
6 for services that are provided to state facilities.

7 **352.** Page 275, line 5: increase the dollar amount for fiscal year 1999–00 by
8 \$1,100,000 and increase the dollar amount for fiscal year 2000–01 by \$1,100,000 to
9 increase funding for the purpose of providing purchase of service funding to the
10 department of corrections on a one–for–one matching basis.

11 **353.** Page 275, line 5: decrease the dollar amount for fiscal year 1999–00 by
12 \$125,000 and decrease the dollar amount for fiscal year 2000–01 by \$125,000 to
13 decrease funding for the purposes for which the appropriation is made.

14 **354.** Page 275, line 5: increase the dollar amount for fiscal year 2000–01 by
15 \$120,000 to increase funding for the purpose for which the appropriation is made.

16 **355.** Page 275, line 5: increase the dollar amount for fiscal year 1999–00 by
17 \$1,326,800 and increase the dollar amount for fiscal year 2000–01 by \$18,589,500 for
18 the purpose of contracting for additional beds for prisoners.

19 **356.** Page 275, line 5: decrease the dollar amount for fiscal year 1999–00 by
20 \$6,788,400 and decrease the dollar amount for fiscal year 2000–01 by \$17,427,200
21 for the purpose of eliminating funding for staffing a privately built correctional
22 facility.

357. Page 275, line 5: increase the dollar amount for fiscal year 2000–01 by \$4,800,000 to increase funding for the purpose for which the appropriation is made.

358. Page 277, line 12: delete lines 12 and 13.

359. Page 277, line 13: after that line insert:

“(br) Principal repayment, interest

and rebates GPR S –0– –0–”.

360. Page 280, line 11: delete “The amounts in the schedule for”.

361. Page 280, line 12: delete “fruit and vegetable inspection.”.

362. Page 280, line 13: delete “shall be credited to” and substitute “to carry out the purposes for which those moneys are received.”.

363. Page 280, line 14: delete that line.

364. Page 281, line 15: after that line insert:

“SECTION 177s. 20.115 (2) (c) of the statutes is created to read:

20.115 **(2) (c)** *Financial assistance for paratuberculosis testing.* The amounts in the schedule for financial assistance for paratuberculosis testing under s. 95.197.”

365. Page 282, line 7: delete lines 7 to 12 and substitute:

“SECTION 179q. 20.115 (3) (c) of the statutes is created to read:

20.115 **(3) (c)** *Export promotion program.* The amounts in the schedule for promotion of exports of agricultural products.”.

366. Page 283, line 3: delete lines 3 to 6.

367. Page 283, line 7: delete lines 7 to 10 and substitute:

“SECTION 183tm. 20.115 (7) (b) of the statutes is created to read:

20.115 (7) (b) *Principal repayment and interest, conservation reserve enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and interest costs incurred in financing the conservation reserve enhancement program under s. 20.866 (2) (wf) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects.”.

368. Page 283, line 10: after that line insert:

“**SECTION 184c.** 20.115 (7) (dr) of the statutes is created to read:

20.115 (7) (dr) *Town of Troy grant, purchase of development rights.* Biennially, the amounts in the schedule for a grant to the town of Troy for the purchase of development rights to agricultural land within the town under s. 60.615. No moneys may be encumbered from this appropriation after the first day of the 12th month beginning after the effective date of this paragraph [revisor inserts date].”.

369. Page 286, line 3: before “560.145” insert “560.083,”.

370. Page 286, line 3: delete “and 560.175” and substitute “, 560.175, 560.26 and 560.28 (2) (a)”.

371. Page 286, line 9: delete “and (6e)”.

372. Page 287, line 14: after that line insert:

“**SECTION 202g.** 20.143 (1) (fg) of the statutes is amended to read:

20.143 (1) (fg) *Community-based economic development programs.* The amounts in the schedule for grants under ss. 560.037 and 560.14 and for the grant grants under 1993 Wisconsin Act 16, section 9115 (1c) and 1999 Wisconsin Act (this act), section 9110 (6e) and (7v).”.

1 **373.** Page 289, line 15: delete “and for the grants under s. 560.139.” and
2 substitute “, for the grants under s. 560.139 and for the grant under 1999 Wisconsin
3 Act (this act), section 9110 (7h).”.

4 **374.** Page 289, line 21: after that line insert:
5 “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:
6 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
7 in repayment of loans awarded by the recycling market development board under s.
8 287.46 (1) and, 1997 stats., and s. 560.031, received under s. 287.46 (3), 1997 stats.,
9 in repayment of loans made by recipients of financial assistance awarded by the
10 ~~recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in
11 repayment of loans under s. 560.835, to be used to provide financial assistance under
12 ~~subch. III of ch. 287 s. 560.031 (3) and (4).~~”.

13 **375.** Page 289, line 22: delete lines 22 to 24 and substitute:
14 “**SECTION 212d.** 20.143 (1) (qm) of the statutes is amended to read:
15 20.143 (1) (qm) *Brownfields and groundwater contamination grant program;*
16 *environmental fund.* From the environmental fund, the amounts in the schedule for
17 grants under s. 560.13 and for the grant under 1999 Wisconsin Act (this act),
18 section 9110 (8gm).”.

19 **376.** Page 290, line 1: after that line insert:
20 “**SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:
21 20.143 (1) (tm) *Recycling market development board; contracts and; financial*
22 *assistance.* Biennially, from the recycling fund, the amounts in the schedule for
23 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~
24 financial assistance under ~~subch. III of ch. 287 s. 560.031 (3), for the costs related to~~

1 the materials exchange program under s. 560.031 (6) and for the grant under 1999
2 Wisconsin Act (this act), section 9110 (7rm).".

3 **377.** Page 290, line 7: delete "and (3) to (10)" and substitute "(b)".

4 **378.** Page 290, line 7: delete "101.9223".

5 **379.** Page 290, line 22: after that line insert:

6 "SECTION 217cr. 20.143 (3) (sa) of the statutes is created to read:

7 20.143 (3) (sa) *Administration of mobile homes*. From the transportation fund,
8 the amounts in the schedule for administration of subch. V of ch. 101."

9 **380.** Page 292, line 10: delete "and loan" and substitute "and loan
10 institutions".

11 **381.** Page 292, line 11: delete "and loan" and substitute "and loan
12 institutions".

13 **382.** Page 292, line 15: after that line insert:

14 "SECTION 222m. 20.155 (1) (jm) of the statutes is created to read:

15 20.155 (1) (jm) *Stray voltage research*. The amounts in the schedule for stray
16 voltage research. All moneys received by the commission from public utilities and
17 electric cooperatives under s. 196.856 shall be credited to this appropriation.
18 Annually, \$175,000 of the amounts received under this appropriation account shall
19 be transferred to the appropriation account under s. 20.285 (1) (kv) and \$25,000 of
20 the amounts received under this appropriation account shall be transferred to the
21 appropriation account under s. 20.435 (1) (kx).".

1 **383.** Page 293, line 4: delete “and 9.” and substitute “. 9. and 10. Annually.
2 \$100,000 shall be transferred to the department of health and family services under
3 the appropriation account under s. 20.435 (6) (kd). ”.

4 **384.** Page 293, line 23: after that line insert:
5 “**SECTION 226n.** 20.215 (1) (fm) of the statutes is created to read:
6 20.215 (1) (fm) *Portage County Arts Alliance.* The amounts in the schedule for
7 a grant to the city of Stevens Point arts council for development of the Portage County
8 Arts Alliance under 1999 Wisconsin Act (this act), section 9105 (2w). No moneys
9 may be encumbered from this appropriation after June 30, 2000.”.

10 **385.** Page 294, line 6: delete the material beginning with that line and ending
11 with page 298, line 2.

12 **386.** Page 298, line 4: delete lines 4 to 23.

13 **387.** Page 299, line 4: after that line insert:

14 “**SECTION 242g.** 20.235 (1) (fd) of the statutes is amended to read:
15 20.235 (1) (fd) *Talent incentive grants.* ~~Biennially, the amounts in the schedule~~
16 A sum sufficient equal to the amount determined under s. 39.435 (8) for talent
17 incentive grants under s. 39.435 (2).

18 **SECTION 242r.** 20.235 (1) (fe) of the statutes is amended to read:
19 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
20 *System students.* ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to
21 the amount determined under s. 39.435 (7) for the Wisconsin higher education grant
22 program under s. 39.435 for University of Wisconsin System students, except for
23 grants awarded under s. 39.435 (2) or (5).”.

24 **388.** Page 299, line 18: after that line insert:

1 **“SECTION 246p.** 20.245 (1) (c) of the statutes is created to read:

2 20.245 **(1)** (c) *Restoration of the state capitol; CD-ROM.* Biennially, the
3 amounts in the schedule to produce a CD-ROM about the restoration of the state
4 capitol under s. 44.34 (13).”.

5 **389.** Page 299, line 23: after that line insert:

6 **“SECTION 247c.** 20.245 (3) (b) of the statutes is created to read:

7 20.245 **(3)** (b) *Plover Heritage Park.* Biennially, the amounts in the schedule
8 for a grant to the Portage County historical society under 1999 Wisconsin Act (this
9 act), section 9124 (1x).”.

10 **390.** Page 300, line 18: delete “department of health and family services” and
11 substitute “tobacco control board”.

12 **391.** Page 300, line 19: after that line insert:

13 **“SECTION 250p.** 20.255 (1) (b) of the statutes is amended to read:

14 20.255 **(1)** (b) *General program operations; residential schools School for the*
15 *Deaf and Center for the Blind and Visually Impaired.* The amounts in the schedule
16 for the operation and maintenance of the Wisconsin schools School for the deaf Deaf
17 and the visually handicapped Wisconsin Center for the Blind and Visually Impaired,
18 the matching of federal funds, but not including expenses financed under par. (js).
19 All moneys received in reimbursement for services rendered institutional employees,
20 participants in institutes and training programs and visitors at the state schools for
21 the deaf and the visually handicapped under s. 115.52 (6), except reimbursements
22 credited under par. (js), shall be refunded to the appropriation made by this
23 paragraph. Such reimbursements shall be accumulated in an account named
24 “maintenance credits”.

1 **SECTION 250q.** 20.255 (1) (c) of the statutes is amended to read:

2 20.255 (1) (c) *Energy costs: School for the Deaf and Center for the Blind and*
3 *Visually Impaired*. The amounts in the schedule to be used at the schools Wisconsin
4 School for the deaf Deaf and visually handicapped the Wisconsin Center for the Blind
5 and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to
6 pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and
7 to repay to the energy efficiency fund loans made to the department under s. 16.847
8 (6).

9 **SECTION 250r.** 20.255 (1) (d) of the statutes is amended to read:

10 20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
11 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
12 the acquisition, construction, development, enlargement or improvement of
13 institutional facilities for individuals with hearing impairments and visual
14 impairments under s. 115.52, individuals with visual impairments under s. 115.525
15 and reference and loan library facilities under s. 43.05 (11).

16 **SECTION 250s.** 20.255 (1) (gb) of the statutes is amended to read:

17 20.255 (1) (gb) *Residential schools School for the Deaf and Center for the Blind*
18 *and Visually Impaired; nonresident fees.* All moneys received from fees charged
19 nonresident pupils under s. 115.52 (3) for services provided at the residential schools
20 Wisconsin School for the Deaf under s. 115.52 (3) and for services provided by the
21 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

22 **SECTION 250t.** 20.255 (1) (gh) of the statutes is created to read:

23 20.255 (1) (gh) *School for the Deaf and Center for the Blind and Visually*
24 *Impaired; hospitalization.* All moneys received on account of hospitalization under

1 s. 115.53 (4) for the operation of the Wisconsin School for the Deaf and the Wisconsin
2 Center for the Blind and Visually Impaired.

3 **SECTION 250u.** 20.255 (1) (gL) of the statutes is created to read:

4 20.255 (1) (gL) *Center for the Blind and Visually Impaired; leasing of space.*
5 All moneys received from leasing space at the Wisconsin Center for the Blind and
6 Visually Impaired under s. 115.525 (6) for the operation and maintenance of the
7 center.

8 **SECTION 250v.** 20.255 (1) (gs) of the statutes is created to read:

9 20.255 (1) (gs) *School for the Deaf and Center for the Blind and Visually*
10 *Impaired; services.* All moneys received from services provided at the Wisconsin
11 School for the Deaf under s. 115.52 (6) and at the Wisconsin Center for the Blind and
12 Visually Impaired under s. 115.525 (5) for the operation and maintenance of the
13 school and the center.

14 **SECTION 250w.** 20.255 (1) (gt) of the statutes is amended to read:

15 20.255 (1) (gt) *Residential schools School for the Deaf and Center for the Blind*
16 *and Visually Impaired; pupil transportation.* The amounts in the schedule for the
17 weekend transportation of pupils enrolled in the residential schools under subch. III
18 of ch. 115 Wisconsin School for the Deaf under s. 115.52 or the school operated by the
19 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and from
20 their homes. All moneys received under s. 115.53 (6) shall be credited to this
21 appropriation.”.

22 **392.** Page 301, line 1: after that line insert:

23 “**SECTION 252p.** 20.255 (1) (q) of the statutes is created to read:

1 20.255 (1) (q) *Agricultural education consultant.* From the agricultural
2 chemical cleanup fund, the amounts in the schedule for an agricultural education
3 consultant at the department of public instruction.”.

4 **393.** Page 301, line 5: delete that line and substitute “to \$3,318,488,800 in the
5 ~~1997–98 fiscal year, equal to \$3,460,133,800 in the 1998–99~~ \$3,767,893,500 in the
6 1999–2000”.

7 **394.** Page 301, line 8: delete that line and substitute “under par. (bi).”.

8 **395.** Page 301, line 8: after that line insert:

9 “**SECTION 253c.** 20.255 (2) (ad) of the statutes is created to read:

10 20.255 (2) (ad) *Supplemental aid.* The amounts in the schedule for aid to school
11 districts under s. 115.435.”.

12 **396.** Page 301, line 13: after that line insert:

13 “**SECTION 255m.** 20.255 (2) (cf) of the statutes is created to read:

14 20.255 (2) (cf) *Alternative education grants.* The amounts in the schedule for
15 alternative education grants under s. 115.366.”.

16 **397.** Page 301, line 13: after that line insert:

17 “**SECTION 254m.** 20.255 (2) (bc) of the statutes is amended to read:

18 20.255 (2) (bc) *Aid for children-at-risk programs and residential school*
19 *planning grant.* The amounts in the schedule for aid for children-at-risk programs
20 under s. 118.153 and, in the 1999–2000 fiscal year, the residential school planning
21 grant under 1999 Wisconsin Act (this act), section 9139 (3x) (b).”.

22 **398.** Page 301, line 20: after that line insert:

23 “**SECTION 256m.** 20.255 (2) (cm) of the statutes is amended to read:

20.255 (2) (cm) *Grants Reimbursement for school breakfast programs.* As a continuing appropriation, the amounts in the schedule for grants reimbursement for school breakfast programs under s. 115.341.”.

399. Page 301, line 20: after that line insert:

“**SECTION 256m.** 20.255 (2) (cs) of the statutes is created to read:

20.255 (2) (cs) *Aid for debt service.* The amounts in the schedule for aid for debt service under s. 118.43 (8).”.

400. Page 302, line 6: after that line insert:

“**SECTION 262p.** 20.255 (2) (fL) of the statutes is created to read:

20.255 (2) (fL) *Foreign language instruction grants.* The amounts in the schedule for foreign language instruction grants under s. 115.28 (42).”.

401. Page 302, line 6: after that line insert:

“**SECTION 263m.** 20.255 (2) (fu) of the statutes is amended to read:

20.255 (2) (fu) *Milwaukee parental choice program.* A sum sufficient to make the payments to private schools under s. 119.23 (4) and (4m).”.

402. Page 303, line 9: delete lines 9 to 11.

403. Page 304, line 3: delete lines 3 to 6 and substitute:

“**SECTION 273n.** 20.275 (1) (et) of the statutes is amended to read:

20.275 (1) (et) *Educational technology training and technical assistance grants.* ~~Biennially, the~~ The amounts in the schedule for grants to cooperative educational service agencies and consortia under s. 44.72 (1) and to the board of regents of the University of Wisconsin System under 1999 Wisconsin Act (this act), section 9148 (2g).”.

404. Page 306, line 8: after “*districts*” insert “: grant”.

1 **405.** Page 306, line 14: after “(6)” insert “and, in the 1999–2000 fiscal year,
2 to award a grant to the distance learning network under 1999 Wisconsin Act (this
3 act), section 9148 (4w)”.

4 **406.** Page 307, line 19: after that line insert:
5 “**SECTION 285m.** 20.285 (1) (ep) of the statutes is created to read:
6 20.285 (1) (ep) *Extension local planning program.* The amounts in the schedule
7 for the University of Wisconsin–Extension local planning program under s. 36.11
8 (37) and for development of model ordinances for traditional neighborhood
9 development and conservation development under s. 66.034.”.

10 **407.** Page 308, line 18: after that line insert:
11 “**SECTION 291t.** 20.285 (1) (im) of the statutes is amended to read:
12 20.285 (1) (im) *Academic student fees.* Except as provided ~~in sub. (2) (i) 1., the~~
13 ~~amounts in the schedule~~ under pars. (ip), (Lm) and (Ls), all moneys received from
14 academic student fees for degree credit instruction, other than for credit outreach
15 instruction sponsored by the University of Wisconsin–Extension. ~~Except as provided~~
16 ~~under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall~~
17 ~~be credited to this appropriation.”.~~

18 **408.** Page 309, line 18: delete “department of health and family services” and
19 substitute “tobacco control board”.

20 **409.** Page 309, line 24: delete the material beginning with that line and
21 ending with page 310, line 5.

22 **410.** Page 310, line 5: after that line insert:
23 “**SECTION 294mm.** 20.285 (1) (kv) of the statutes is created to read:

20.285 (1) (kv) *Stray voltage research*. All moneys transferred from the appropriation account under s. 20.155 (1) (jm) for stray voltage research under s. 36.25 (45).”.

411. Page 310, line 6: delete lines 6 to 9.

412. Page 310, line 14: after that line insert:

“**SECTION 296m.** 20.285 (1) (qm) of the statutes is created to read:

20.285 (1) (qm) *Grants to forestry cooperatives*. From the conservation fund, the amounts in the schedule for grants to forest cooperatives under s. 36.56.”.

413. Page 310, line 14: after that line insert:

“**SECTION 296m.** 20.285 (2) (i) (title) of the statutes is amended to read:

20.285 (2) (i) (title) *Expenditures from ~~program revenue appropriations~~ federal indirect cost reimbursement appropriation*.

SECTION 296s. 20.285 (2) (i) 1. of the statutes is repealed.

SECTION 290t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).”.

414. Page 310, line 15: after that line insert:

“**SECTION 297t.** 20.285 (4) (dd) of the statutes is amended to read:

20.285 (4) (dd) *Lawton minority undergraduate grants program*. ~~The amounts in the schedule~~ A sum sufficient equal to the amount determined under s. 36.34 (1) (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).”.

415. Page 310, line 18: delete lines 18 to 22.

416. Page 311, line 9: after that line insert:

“**SECTION 300m.** 20.292 (1) (ec) of the statutes is created to read:

20.292 (1) (ec) *Milwaukee Enterprise Center*. The amounts in the schedule for a grant to the Milwaukee Enterprise Center under 1999 Wisconsin Act (this act),

1 section 9147 (2ct). No moneys may be encumbered from this appropriation after
2 June 30, 2001.”.

3 **417.** Page 311, line 9: after that line insert:

4 “**SECTION 301g.** 20.292 (1) (ep) of the statutes is created to read:

5 20.292 (1) (ep) *Grants to students.* The amounts in the schedule for grants to
6 students under s. 38.30.

7 **SECTION 301r.** 20.292 (1) (er) of the statutes is created to read:

8 20.292 (1) (er) *Grants for additional course sections.* The amounts in the
9 schedule for grants to district boards under s. 38.31.”.

10 **418.** Page 311, line 14: after that line insert:

11 “**SECTION 302p.** 20.292 (1) (q) of the statutes is created to read:

12 20.292 (1) (q) *Agricultural education consultant.* From the agricultural
13 chemical cleanup fund, the amounts in the schedule for an agricultural education
14 consultant at the technical college system board.”.

15 **419.** Page 311, line 24: after “issued” insert “for the clean water fund program
16 or the urban storm water loan program”.

17 **420.** Page 312, line 6: after that line insert:

18 “**SECTION 303pm.** 20.320 (1) (r) of the statutes is amended to read:

19 20.320 (1) (r) *Clean water fund program repayment of revenue obligations.*
20 From the environmental improvement fund, a sum sufficient to repay the fund in the
21 state treasury created under s. 18.57 (1) the amount needed to retire revenue
22 obligations issued for the clean water fund program or the urban storm water loan
23 program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4).”.

24 **421.** Page 312, line 21: after that line insert:

1 **“SECTION 303t.** 20.320 (1) (u) of the statutes is amended to read:

2 20.320 (1) (u) *Principal repayment and interest — clean water fund program*
3 *revenue obligation repayment.* From the fund in the state treasury created under s.
4 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c)
5 to the environmental improvement fund, for the purpose of the retirement of revenue
6 obligations, providing for reserves and for operations relating to the management
7 and retirement of revenue obligations issued for the clean water fund program or the
8 urban storm water loan program under subch. II or IV of ch. 18, as authorized under
9 s. 281.59 (4). All moneys received are irrevocably appropriated in accordance with
10 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
11 the revenue obligations and setting forth the distribution of funds to be received
12 thereafter.”.

13 **422.** Page 313, line 5: after that line insert:

14 **“SECTION 303w.** 20.320 (2) (q) of the statutes is created to read:

15 20.320 (2) (q) *Safe drinking water loan program revenue obligation funding.*

16 As a continuing appropriation, all proceeds from revenue obligations issued for the
17 safe drinking water loan program under subch. II or IV of ch. 18, as authorized under
18 s. 281.59 (4) and deposited in the fund in the state treasury created under s. 18.57
19 (1), providing for reserves and for expenses of issuance and management of the
20 revenue obligations, and the remainder to be transferred to the environmental
21 improvement fund for the purposes of the safe drinking water loan program under
22 s. 281.61. Estimated disbursements under this paragraph shall not be included in
23 the schedule under s. 20.005.

24 **SECTION 303x.** 20.320 (2) (r) of the statutes is created to read:

1 20.320 (2) (r) *Safe drinking water loan program repayment of revenue*
2 *obligations.* From the environmental improvement fund, a sum sufficient to repay
3 the fund in the state treasury created under s. 18.57 (1) the amount needed to retire
4 revenue obligations issued for the safe drinking water loan program under subch. II
5 or IV of ch. 18, as authorized under s. 281.59 (4).

6 **SECTION 303y.** 20.320 (2) (u) of the statutes is created to read:

7 20.320 (2) (u) *Principal repayment and interest — safe drinking water loan*
8 *program revenue obligation repayment.* From the fund in the state treasury created
9 under s. 18.57 (1), all moneys received by the fund and not transferred under s.
10 281.59 (4) (c) to the environmental improvement fund, for the purpose of the
11 retirement of revenue obligations, providing for reserves and for operations relating
12 to the management and retirement of revenue obligations issued for the safe
13 drinking water loan program under subch. II or IV of ch. 18, as authorized under s.
14 281.59 (4). All moneys received are irrevocably appropriated in accordance with
15 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
16 the revenue obligations and setting forth the distribution of funds to be received
17 thereafter.”.

18 **423.** Page 315, line 15: after that line insert:

19 **“SECTION 311a.** 20.370 (2) (fq) of the statutes is created to read:

20 20.370 (2) (fq) *Indemnification agreements.* From the environmental fund, a
21 sum sufficient to provide indemnification under agreements under s. 292.70.”.

22 **424.** Page 315, line 15: after that line insert:

23 **“SECTION 311h.** 20.370 (2) (hr) of the statutes is created to read:

1 20.370 (2) (hr) *Study of landfill remediation*. From the recycling fund, the
2 amounts in the schedule for the study of landfill remediation under 1999 Wisconsin
3 Act (this act), section 9136 (2e). No moneys may be encumbered from this
4 appropriation after June 30, 2000.”.

5 **425.** Page 315, line 15: after that line insert:

6 “**SECTION 310.** 20.370 (2) (bg) of the statutes is amended to read:

7 20.370 (2) (bg) *Air management — stationary sources*. The amounts in the
8 schedule for purposes related to stationary sources of air contaminants as specified
9 in s. 285.69 (2) (c) and to transfer the amounts appropriated under s. 20.143 (1) (kc)
10 to the appropriation account under s. 20.143 (1) (kc). All moneys received from fees
11 imposed under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3)
12 (bg), (8) (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69
13 (7) shall be credited to this appropriation.”.

14 **426.** Page 316, line 4: delete lines 4 to 7.

15 **427.** Page 316, line 13: after that line insert:

16 “**SECTION 316m.** 20.370 (3) (bg) of the statutes is amended to read:

17 20.370 (3) (bg) *Enforcement — stationary sources*. From the general fund, from
18 the moneys received from fees imposed, under s. 285.69 (2) (a) and (e), the amounts
19 in the schedule for enforcement operations related to stationary sources of air
20 contaminants.”.

21 **428.** Page 317, line 15: after that line insert:

22 “**SECTION 318o.** 20.370 (5) (aw) of the statutes is amended to read:

23 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations*. As a
24 continuing appropriation, the amounts in the schedule for a ~~grant~~ grants to a

1 nonstock, nonprofit ~~corporation~~ corporations under s. ss. 23.0955 (2) and 23.0956 for
2 assistance to nonprofit conservation organizations under s. ss. 23.0955 and
3 23.0956.”.

4 **429.** Page 317, line 18: after that line insert:

5 “**SECTION 318x.** 20.370 (5) (bx) of the statutes is amended to read:

6 20.370 (5) (bx) *Resource aids — national forest income aids.* All moneys
7 received from the U.S. government for allotments to ~~counties~~ school districts
8 containing national forest lands, ~~and designated for the benefit of public roads in~~
9 ~~such counties,~~ shall be distributed in proportion to the national forest acreage in each
10 county ~~as certified by the U.S. forest service~~ school district. Such distribution shall
11 be made annually within 60 days after receipt of the money from the federal
12 government.”.

13 **430.** Page 318, line 8: after “23.0962,” insert “for the Southeastern Wisconsin
14 Fox River commission under 1997 Wisconsin Act 237, section 9136 (2), and under
15 1999 Wisconsin Act (this act), section 9136 (10z).”.

16 **431.** Page 318, line 9: after “31.309,” insert “for development of a state park
17 under s. 23.198.”.

18 **432.** Page 318, line 16: after “23.0962,” insert “for the Southeastern
19 Wisconsin Fox River commission under 1999 Wisconsin Act (this act), section
20 9136 (10z).”.

21 **433.** Page 318, line 17: after “31.309,” insert “for development of a state park
22 under s. 23.198.”.

23 **434.** Page 319, line 1: after “31.309” insert “, for development of a state park
24 under s. 23.198”.

435. Page 319, line 2: after that line insert:

“**SECTION 320m.** 20.370 (5) (et) of the statutes is repealed.”.

436. Page 320, line 7: delete “as a continuing appropriation,”.

437. Page 320, line 13: delete “as a continuing appropriation,”.

438. Page 320, line 22: delete lines 22 to 25 and substitute:

“**SECTION 326m.** 20.370 (6) (bq) 9. of the statutes is repealed.”.

439. Page 321, line 1: delete lines 1 to 4.

440. Page 321, line 10: after “(9)” insert “and (9c)”.

441. Page 321, line 10: after that line insert:

“**SECTION 328m.** 20.370 (6) (bu) of the statutes is created to read:

20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

442. Page 322, line 16: after that line insert:

“**SECTION 332m.** 20.370 (6) (es) of the statutes is created to read:

20.370 (6) (es) *Environmental aids — urban development, conservation fund.*

Biennially, from the conservation fund, the amounts in the schedule for the sustainable urban development zone program under s. 292.77.”.

443. Page 323, line 9: after that line insert:

“**SECTION 333bc.** 20.370 (7) (aa) of the statutes, as affected by 1999 Wisconsin Act (this act), is repealed and recreated to read:

20.370 (7) (aa) *Resource acquisition and development — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill

1 under s. 30.203, in financing the acquisition, construction, development,
2 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
3 (tr), in financing state aids for land acquisition and development of local parks under
4 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
5 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
6 age trail development under s. 20.866 (2) (tw), in financing the Warren
7 Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in
8 financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s.
9 20.866 (2) (ta), but not including payments made under par. (ac).

10 **SECTION 333d.** 20.370 (7) (ag) of the statutes is created to read:

11 20.370 (7) (ag) *Land acquisition — principal repayment and interest.* All
12 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to
13 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
14 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.
15 20.866 (2) (ta).”.

16 **444.** Page 323, line 15: after that line insert:

17 “**SECTION 333h.** 20.370 (7) (au) of the statutes, as created by 1999 Wisconsin
18 Act (this act), is repealed.”.

19 **445.** Page 324, line 19: after that line insert:

20 “**SECTION 334m.** 20.370 (8) (mc) of the statutes is created to read:

21 20.370 (8) (mc) *General fund transfer.* From the general fund, a sum sufficient
22 to transfer \$500,000 to the fish and wildlife account of the conservation fund in fiscal
23 year 2000–01 and in each fiscal year thereafter.”.

24 **446.** Page 324, line 19: after that line insert:

1 **“SECTION 335.** 20.370 (8) (mg) of the statutes is amended to read:

2 20.370 **(8)** (mg) *General program operations — stationary sources.* From the
3 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and
4 (e), the amounts in the schedule for the administration of the operation permit
5 program under ch. 285 and s. 299.15.”.

6 **447.** Page 325, line 19: after that line insert:

7 **“SECTION 341.** 20.370 (9) (mh) of the statutes is amended to read:

8 20.370 **(9)** (mh) *General program operations — stationary sources.* From the
9 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and
10 (e), the amounts in the schedule for customer service, communications and aids
11 administration for the operation permit program under ch. 285 and s. 299.15.”.

12 **448.** Page 327, line 1: before that line insert:

13 **“SECTION 342g.** 20.380 (1) (c) of the statutes is created to read:

14 20.380 **(1)** (c) *Internet referral system grants.* Biennially, the amounts in the
15 schedule for the grants under 1999 Wisconsin Act (this act), section 9149 (2rs).

16 **SECTION 342h.** 20.380 (1) (c) of the statutes, as created by this act, is repealed.”.

17 **449.** Page 327, line 6: after “9149 (1to)” insert “, (2c), (2tw) and (3e)”.

18 **450.** Page 327, line 6: delete “grant” and substitute “grants”.

19 **451.** Page 328, line 9: after that line insert:

20 **“SECTION 345Lm.** 20.395 (2) (cq) of the statutes is amended to read:

21 20.395 **(2)** (cq) *Harbor assistance, state funds.* As a continuing appropriation,
22 the amounts in the schedule for harbor assistance under s. 85.095 (2) (a) and, for
23 administration of the harbor assistance program under s. 85.095 and for grants
24 under 1999 Wisconsin Act (this act), section 9150 (4f).”.

1 **452.** Page 329, line 16: after that line insert:

2 “**SECTION 346t.** 20.395 (2) (jx) of the statutes is amended to read:

3 20.395 **(2)** (jx) *Surface transportation grants, federal funds.* All moneys
4 received from the federal government for purposes of surface transportation
5 discretionary grants under s. 85.243, other than grants for the planning, design and
6 construction of bicycle and pedestrian facilities. for such purposes.

7 **SECTION 346w.** 20.395 (2) (kx) of the statutes is amended to read:

8 20.395 **(2)** (kx) *Congestion mitigation and air quality improvement, federal*
9 *funds.* All moneys received from the federal government for the purposes of
10 congestion mitigation and air quality improvement under s. 85.245, other than for
11 the planning, design and construction of bicycle and pedestrian facilities. for such
12 purposes.

13 **SECTION 346y.** 20.395 (2) (nx) of the statutes is amended to read:

14 20.395 **(2)** (nx) *Transportation enhancement activities, federal funds.* All
15 moneys received from the federal government for purposes of transportation
16 enhancement activities under s. 85.026 and ~~for grants under s. 85.024,~~ other than
17 for the planning, design and construction of bicycle and pedestrian facilities, for such
18 purposes.”.

19 **453.** Page 329, line 22: after that line insert:

20 “**SECTION 347d.** 20.395 (2) (ox) of the statutes is created to read:

21 20.395 **(2)** (ox) *Bicycle and pedestrian facilities grants, federal funds.* All
22 federal moneys received for the purposes of awarding grants and funding projects for
23 the planning, design or construction of bicycle and pedestrian facilities under ss.
24 85.024, 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m), for such purposes.”.

454. Page 331, line 19: after that line insert:

“**SECTION 351g.** 20.395 (3) (gq) of the statutes is created to read:

20.395 (3) (gq) *Intelligent transportation systems, state funds.* The amounts in the schedule for intelligent transportation systems under s. 84.014.

SECTION 351h. 20.395 (3) (gv) of the statutes is created to read:

20.395 (3) (gv) *Intelligent transportation systems, local funds.* All moneys received from any local unit of government for purposes of intelligent transportation systems under s. 84.014, for such purposes.

SECTION 351j. 20.395 (3) (gx) of the statutes is created to read:

20.395 (3) (gx) *Intelligent transportation systems, federal funds.* All moneys received from the federal government for purposes of intelligent transportation systems under s. 84.014, for such purposes.”.

455. Page 332, line 2: delete lines 2 to 5.

456. Page 333, line 10: after that line insert:

“**SECTION 358m.** 20.395 (9) (td) of the statutes is amended to read:

20.395 (9) (td) *Real estate major cost carry-over.* ~~When~~ Subject to s. 86.255, when a highway, airport or railroad land acquisition project is approved by the secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2) (bq), (dq) and (eq) and (3) (bq), (cq) and (eq) may be considered encumbered.”.

457. Page 334, line 18: after that line insert:

“**SECTION 362z.** 20.410 (1) (qm) of the statutes is created to read:

20.410 (1) (qm) *Computer recycling.* From the recycling fund, the amounts in the schedule for the department to recycle computers.”.

458. Page 339, line 13: delete that line and substitute:

1 **“SECTION 377d.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp) and
2 amended to read:

3 20.435 **(4)** (gp) *Health care and graduate medical education; aids.* All moneys
4 received under s. 146.99, to be first used for a grant under 1999 Wisconsin Act (this
5 act), section 9123 (12m), and, of the remaining amounts, 50% to be used in each fiscal
6 year for purchase of primary health care services under s. 146.93 and 50% to be used
7 in each fiscal year for graduate medical education payments for training of providers
8 under the medical assistance program under ss. 49.45 to 49.499.

9 **SECTION 377h.** 20.435 (4) (gp) of the statutes, as affected by 1999 Wisconsin Act
10 (this act), is amended to read:

11 20.435 **(4)** (gp) *Health care and graduate medical education; aids.* All moneys
12 received under s. 146.99, ~~to be first used for a grant under 1999 Wisconsin Act (this~~
13 ~~act), section 9123 (12m), and, of the remaining amounts, 50% to be used in each fiscal~~
14 ~~year for purchase of primary health care services under s. 146.93 and 50% to be used~~
15 ~~in each fiscal year for graduate medical education payments for training of providers~~
16 ~~under the medical assistance program under ss. 49.45 to 49.499.”.~~

17 **459.** Page 340, line 5: delete lines 5 to 9.

18 **460.** Page 340, line 6: delete “From” and substitute “Biennially, from”.

19 **461.** Page 343, line 1: delete lines 1 to 8 and substitute:

20 **“SECTION 391g.** 20.435 (3) (dd) of the statutes is amended to read:

21 20.435 **(3)** (dd) *State foster care and adoption services.* The amounts in the
22 schedule for foster care, treatment foster care, institutional child care and subsidized
23 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
24 49.19 (10) (d) ~~and,~~ for the cost of the foster care monitoring system, for the cost of

1 providing, or contracting with private adoption agencies to assist the department in
2 providing, services to children with special needs who are under the guardianship
3 of the department to prepare those children for adoption and for the cost of providing
4 postadoption services to children with special needs who have been adopted.”.

5 **462.** Page 344, line 4: after that line insert:

6 “**SECTION 397g.** 20.435 (3) (kc) of the statutes is amended to read:

7 20.435 **(3)** (kc) *Interagency and intra-agency aids; kinship care and long-term*
8 *kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) ~~and, (3n)~~
9 ~~and (3o).~~ All moneys transferred from the appropriation account under s. 20.445 (3)
10 (md) to this appropriation account shall be credited to this appropriation account.
11 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
12 is transferred to the appropriation account under s. 20.445 (3) (ky).”.

13 **463.** Page 344, line 20: delete the material beginning with that line and
14 ending with page 345, line 4, and substitute:

15 “**SECTION 399g.** 20.435 (3) (pd) of the statutes is amended to read:

16 20.435 **(3)** (pd) *Federal aid; state foster care and adoption services.* All federal
17 moneys received for meeting the costs of providing foster care, treatment foster care
18 ~~and, institutional child care under s. 48.52, and for~~ and subsidized adoptions under
19 ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost
20 of providing, or contracting with private adoption agencies to assist the department
21 in providing, services to children with special needs who are under the guardianship
22 of the department to prepare those children for adoption and the cost of providing
23 postadoption services to children with special needs who have been adopted.

1 Disbursements for foster care under s. 46.03 (20) and for the purposes described
2 under s. 48.627 may be made from this appropriation.”.

3 **464.** Page 349, line 11: delete “payment” and substitute “payments”.

4 **465.** Page 349, line 12: delete “(8m)” and substitute “(9m)”.

5 **466.** Page 350, line 17: delete lines 17 to 20 and substitute:

6 “20.435 (5) (e) *Disease-aids Public health dispensaries and drugs*. Biennially,
7 the amounts in the schedule for ~~assisting~~ establishing and maintaining public health
8 dispensaries for victims of diseases and for the provision of drugs for the treatment
9 of mycobacterium tuberculosis, as provided in ss. 49.68, 49.683, 49.685, 58.06, 252.08
10 ~~(4) and (5) and s. 252.10~~ (6) and (7), as allocated by the department.”.

11 **467.** Page 351, line 12: on lines 12 and 17, delete “\$1.40” and substitute “\$2”.

12 **468.** Page 352, line 14: delete lines 14 to 17.

13 **469.** Page 352, line 15: delete “From” and substitute “As a continuing
14 appropriation, from”.

15 **470.** Page 354, line 19: after that line insert:

16 “**SECTION 445g.** 20.435 (6) (kd) of the statutes is created to read:

17 20.435 (6) (kd) *Rehabilitation teaching administration.* All moneys
18 transferred from the appropriation under s. 20.155 (1) (q) to provide administrative
19 services under the rehabilitation teaching program for blind and visually impaired
20 persons under s. 46.293, for that purpose.”.

21 **471.** Page 355, line 14: after that line insert:

22 “**SECTION 446m.** 20.435 (7) (bc) of the statutes is amended to read:

20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department of health and family services may credit or deposit into this appropriation funds for the purpose specified in s. 46.48 (13) that the department transfers from the appropriation under par. (bL) that are allocated by the department under that appropriation but unexpended or unencumbered on June 30 of each year. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), there is transferred at the end of the 1999–2000 fiscal year to the appropriation account for the department of workforce development under s. 20.445 (3) (dz) the difference between \$5,000,000 and the amounts that are expendable and encumbered under 1999 Wisconsin Act (this act), section 9223 (3c).”.

472. Page 358, line 23: after that line insert:

“**SECTION 456r.** 20.435 (8) (mb) of the statutes is amended to read:

20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v as the result of income augmentation activities ~~for which the state has contracted performed by the department under s. 46.46,~~ to be used as provided in s. 46.46.”.

1 **473.** Page 359, line 14: after that line insert:

2 “**SECTION 457m.** 20.436 of the statutes is created to read:

3 **20.436 Tobacco control board.** There is appropriated from the tobacco
4 control fund to the tobacco control board for the following programs:

5 **(1) SMOKING CESSATION AND EDUCATION.** (g) *Gifts and grants.* All moneys
6 received from gifts, grants and donations for the purposes specified under s. 255.15
7 to be used for those purposes.

8 (tb) *General program operations.* Biennially, the amounts in the schedule for
9 general program operations of the tobacco control board.

10 (tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the
11 purposes specified under s. 255.15 (3).”.

12 **474.** Page 365, line 19: after that line insert:

13 “(kd) *Transfer of Indian gaming receipts; tribal work-based learning programs.*

14 The amounts in the schedule for work-based learning programs for students of a
15 tribal college that is recognized as a land grant college under 7 USC 301, as amended
16 to October 20, 1994. All moneys transferred from the appropriation account under
17 s. 20.505 (8) (hm) 18j. shall be credited to this appropriation account.”.

18 **475.** Page 366, line 3: after that line insert:

19 “**SECTION 481m.** 20.455 (2) (g) of the statutes is amended to read:

20 20.455 **(2)** (g) *Gaming law enforcement; racing revenues.* From all moneys
21 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)
22 (d) and ~~(4)~~ and 562.09 (2) (e), the amounts in the schedule for the performance of the
23 department’s gaming law enforcement responsibilities as specified in s. 165.70
24 (3m).”.

476. Page 366, line 3: after that line insert:

“SECTION 481d. 20.455 (2) (fm) of the statutes is created to read:

20.455 **(2)** (fm) *Gaming law enforcement.* The amounts in the schedule for the performance of the department’s gaming law enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act.”.

477. Page 367, line 25: after that line insert:

“SECTION 490g. 20.455 (2) (r) of the statutes is amended to read:

20.455 **(2)** (r) *Gaming law enforcement; lottery revenues.* From the lottery fund, the amounts in the schedule for the performance of the department’s gaming law enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium.”.

478. Page 368, line 1: after that line insert:

“SECTION 491m. 20.455 (5) (i) of the statutes is amended to read:

20.455 **(5)** (i) *Victim compensation, inmate payments.* All moneys received under s. 303.06 (2) ~~and (3)~~ for the administration of ch. 949 and for crime victim compensation payments or services.”.

479. Page 368, line 24: after that line insert:

“SECTION 496s. 20.465 (2) (a) of the statutes is amended to read:

20.465 **(2)** (a) *Tuition grants.* ~~The~~ Biennially, the amounts in the schedule for the payment of tuition grants to members of the Wisconsin national guard under s. 21.49 (3).”.

1 **480.** Page 369, line 17: after that line insert:

2 “**SECTION 498t.** 20.485 (1) (title) of the statutes is amended to read:

3 20.485 (1) (title) HOME AND FACILITIES FOR VETERANS.

4 **SECTION 498v.** 20.485 (1) (gk) of the statutes is amended to read:

5 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
6 care of the Wisconsin veterans home Veterans Home and facilities. All moneys
7 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this
8 appropriation.”.

9 **481.** Page 370, line 24: delete the material beginning with that line and
10 ending with page 371, line 9.

11 **482.** Page 371, line 9: after that line insert:

12 “**SECTION 509v.** 20.505 (1) (cm) of the statutes is created to read:

13 20.505 (1) (cm) *Comprehensive planning grants.* The amounts in the schedule
14 to provide comprehensive planning grants to local governmental units under s.
15 16.965 (2).

16 **SECTION 509w.** 20.505 (1) (cm) of the statutes, as created by 1999 Wisconsin
17 Act (this act), is repealed.

18 **SECTION 509x.** 20.505 (1) (cn) of the statutes is created to read:

19 20.505 (1) (cn) *Comprehensive planning; administrative support.* The amounts
20 in the schedule for administrative support of comprehensive planning assistance
21 under s. 16.965.

22 **SECTION 509y.** 20.505 (1) (cn) of the statutes, as created by 1999 Wisconsin Act
23 (this act), is repealed.”.

24 **483.** Page 371, line 10: after that line insert:

1 **“SECTION 510m.** 20.505 (1) (e) of the statutes is created to read:

2 20.505 (1) (e) *Census education assistance.* Biennially, the amounts in the
3 schedule to make grants under 1999 Wisconsin Act (this act), section 9101 (19wx).
4 No moneys may be encumbered or expended under this paragraph without the
5 approval of the census education board.”.

6 **484.** Page 371, line 18: after that line insert:

7 **“SECTION 511n.** 20.505 (1) (ge) of the statutes is created to read:

8 20.505 (1) (ge) *High-voltage transmission line annual impact fee distributions.*
9 All moneys received from the payment of fees under the rules promulgated under s.
10 16.969 (2) (a) for distributions to to towns, villages and cities under s. 16.969 (3) (a).

11 **SECTION 511r.** 20.505 (1) (gs) of the statutes is created to read:

12 20.505 (1) (gs) *High-voltage transmission line environmental impact fee*
13 *distributions.* All moneys received from the payment of fees under the rules
14 promulgated under s. 16.969 (2) (b) for distributions to counties, towns, villages and
15 cities under s. 16.969 (3) (b).”.

16 **485.** Page 374, line 2: after that line insert:

17 **“SECTION 520m.** 20.505 (1) (kc) of the statutes is amended to read:

18 20.505 (1) (kc) *Capital planning and building construction services.* The
19 amounts in the schedule to provide capital planning services under s. 13.48 (5) and
20 building construction services under subch. V of ch. 16 on behalf of state agencies and
21 local professional baseball park districts created under subch. III of ch. 229 and to
22 transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the
23 schedule under s. 20.505 (1) (kw). The secretary of administration may credit

1 moneys received for the provision of building construction and capital planning
2 services on behalf of state agencies and such districts to this appropriation account.

3 **SECTION 520n.** 20.505 (1) (kc) of the statutes, as affected by 1999 Wisconsin Act
4 (this act), is amended to read:

5 20.505 **(1)** (kc) *Capital planning and building construction services.* The
6 amounts in the schedule to provide capital planning services under s. 13.48 (5) and
7 building construction services under subch. V of ch. 16 on behalf of state agencies and
8 local professional baseball park districts created under subch. III of ch. 229 and to
9 ~~transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the~~
10 ~~schedule under s. 20.505 (1) (kw).~~ The secretary of administration may credit
11 moneys received for the provision of building construction and capital planning
12 services on behalf of state agencies and such districts to this appropriation account.”.

13 **486.** Page 374, line 3: delete lines 3 to 18.

14 **487.** Page 375, line 25: delete that line.

15 **488.** Page 376, line 1: delete lines 1 to 6.

16 **489.** Page 376, line 6: after that line insert:

17 “**SECTION 527s.** 20.505 (1) (kw) of the statutes is created to read:

18 20.505 **(1)** (kw) *Grant to Heritage Military Music Foundation.* The amounts in
19 the schedule to provide a grant to the Heritage Military Music Foundation, as
20 provided in s. 16.853. All moneys transferred from the appropriation account under
21 par. (kc) shall be credited to this appropriation account.

22 **SECTION 527t.** 20.505 (1) (kw) of the statutes, as created by 1999 Wisconsin Act
23 (this act), is repealed.”.

24 **490.** Page 376, line 11: after that line insert:

1 **“SECTION 528p.** 20.505 (1) (s) of the statutes is created to read:

2 20.505 **(1)** (s) *Wisconsin sesquicentennial commission; payment of obligations.*

3 From the historical legacy trust fund, all moneys received from moneys deposited
4 under s. 14.26 (5g) (c) and (e), 1997 stats., for the purpose specified under s. 14.26
5 (7).”.

6 **491.** Page 377, line 11: delete lines 11 to 14.

7 **492.** Page 377, line 14: after that line insert:

8 **“SECTION 531p.** 20.505 (4) (e) of the statutes is created to read:

9 20.505 **(4)** (e) *Technical college capacity building program.* The amounts in the
10 schedule for grants to technical college district boards under s. 16.004 (14).”.

11 **493.** Page 378, line 13: delete lines 13 to 24.

12 **494.** Page 382, line 15: delete “and (4)” and substitute “~~and (4)~~”.

13 **495.** Page 387, line 25: after that line insert:

14 **“SECTION 586h.** 20.505 (8) (hm) 19. of the statutes is created to read:

15 20.505 **(8)** (hm) 19. The amount transferred to s. 20.835 (2) (ka) shall be the sum
16 of the amounts calculated by the department of administration under s. 569.02 (5).”.

17 **496.** Page 387, line 25: after that line insert:

18 **“SECTION 586h.** 20.505 (8) (hm) 18j. of the statutes is created to read:

19 20.505 **(8)** (hm) 18j. The amount transferred to s. 20.445 (7) (kd) shall be the
20 amount in the schedule under s. 20.445 (7) (kd).”.

21 **497.** Page 388, line 14: after that line insert:

22 **“SECTION 587b.** 20.505 (10) of the statutes is created to read:

1 20.505 **(10)** UTILITY PUBLIC BENEFITS. (q) *General program operations.* From
2 the utility public benefits fund, the amounts in the schedule for general program
3 operations.

4 (r) *Low-income assistance grants.* From the utility public benefits fund, a sum
5 sufficient for low-income assistance grants under s. 16.957 (2) (a).

6 (s) *Energy conservation and efficiency and renewable resource grants.* From the
7 utility public benefits fund, a sum sufficient for energy conservation and efficiency
8 and renewable resource grants under s. 16.957 (2) (b) 1. and to make the transfer to
9 the air quality improvement fund under s. 16.958 (2) (a).

10 **SECTION 587d.** 20.505 (11) of the statutes is created to read:

11 20.505 **(11)** AIR QUALITY IMPROVEMENT PROGRAM. (r) *Air quality improvement*
12 *grants.* From the air quality improvement fund, a sum sufficient equal to all moneys
13 transferred under s. 16.958 (2) (a) and all moneys received under s. 196.86 (2), for the
14 purpose of making grants under s. 16.958 (2) (b).”.

15 **498.** Page 388, line 15: delete lines 15 to 22.

16 **499.** Page 389, line 10: delete lines 10 to 13.

17 **500.** Page 389, line 15: delete lines 15 to 18.

18 **501.** Page 389, line 24: after that line insert:

19 “**SECTION 591gb.** 20.515 (2) (title) of the statutes is created to read:

20 20.515 **(2)** (title) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM.

21 **SECTION 591gd.** 20.515 (2) (title) of the statutes, as created by 1999 Wisconsin
22 Act (this act), section 591gb, is repealed.

23 **SECTION 591gm.** 20.515 (2) (a) of the statutes is created to read:

1 20.515 (2) (a) *Private employer health care coverage program; operating costs.*
2 Biennially, the amounts in the schedule for the operating costs relating to the private
3 employer health care coverage program under subch. X of ch. 40.

4 **SECTION 591go.** 20.515 (2) (a) of the statutes, as created by 1999 Wisconsin Act
5 (this act), section 591gm, is repealed.

6 **SECTION 591gt.** 20.515 (2) (b) of the statutes is created to read:

7 20.515 (2) (b) *Grant for program administrator's costs.* Biennially, the amounts
8 in the schedule for the grant under 1999 Wisconsin Act (this act), section 22 (3).

9 **SECTION 591gv.** 20.515 (2) (b) of the statutes, as created by 1999 Wisconsin Act
10 (this act), section 591gt, is repealed.

11 **SECTION 591gx.** 20.515 (2) (g) of the statutes is created to read:

12 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received
13 under subch. X of ch. 40 from employers who elect to participate in the private
14 employer health care coverage program under subch. X of ch. 40, for the costs of
15 designing, marketing and contracting for or providing administrative services for
16 the program.

17 **SECTION 591gy.** 20.515 (2) (g) of the statutes, as created by 1999 Wisconsin Act
18 (this act), 591gx, is repealed.”.

19 **502.** Page 389, line 24: after that line insert:

20 **“SECTION 591L.** 20.515 (1) (v) of the statutes is created to read:

21 20.515 (1) (v) *Provision of benefits.* Biennially, the amounts in the schedule for
22 providing benefits under the Wisconsin retirement system.

23 **SECTION 591n.** 20.515 (1) (v) of the statutes, as affected by 1999 Wisconsin Act
24 (this act), is repealed.”.

1 **503.** Page 390, line 7: delete lines 7 to 9 and substitute:

2 “20.525 **(1)** (kb) *Assistance from department of development.* All moneys
3 received from the department of development pursuant to any arrangement under
4 s. 14.18 to assist the governor in providing temporary assistance for needy families
5 under 42 USC 601 et. seq.”.

6 **504.** Page 390, line 16: after that line insert:

7 “**SECTION 593e.** 20.536 (1) (k) of the statutes is repealed and recreated to read:
8 20.536 **(1)** (k) *General program operations.* All moneys received from
9 assessments made under s. 25.187 (2) and from charges made under ss. 24.62 (1),
10 25.16 (8) and 25.17 (9) for the purpose of conducting general program operations.”.

11 **505.** Page 391, line 10: delete that line and substitute “77. Three percent An
12 amount equal to 2.55% of all moneys received from the taxes”.

13 **506.** Page 391, line 20: delete that line.

14 **507.** Page 391, line 20: after that line insert:

15 “**SECTION 595g.** 20.566 (2) (am) of the statutes is created to read:

16 20.566 **(2)** (am) *Lottery and gaming credit administration.* The amounts in the
17 schedule for the administration of the lottery and gaming credit. No moneys may be
18 encumbered or expended from this appropriation account after the day of publication
19 of the 2001–03 biennial budget act.

20 **SECTION 595m.** 20.566 (2) (r) of the statutes, as affected by 1999 Wisconsin Act
21 5, is amended to read:

22 20.566 **(2)** (r) *Lottery and gaming credit administration.* From the lottery fund,
23 the amounts in the schedule for the administration of the lottery and gaming credit.

1 No moneys may be encumbered or expended from this appropriation account during
2 the 1999–2001 fiscal year biennium.”.

3 **508.** Page 391, line 25: after that line insert:

4 “**SECTION 596q.** 20.566 (8) (a) of the statutes is created to read:

5 20.566 (8) (a) *General program operations.* The amounts in the schedule for
6 general program operations under ch. 565. No moneys may be encumbered or
7 expended from this appropriation account after the day of publication of the 2001–03
8 biennial budget act.

9 **SECTION 596r.** 20.566 (8) (b) of the statutes is created to read:

10 20.566 (8) (b) *Retailer compensation.* A sum sufficient to pay compensation to
11 retailers under s. 565.10 (14) (b). No moneys may be encumbered or expended from
12 this appropriation account after the day of publication of the 2001–03 biennial
13 budget act.

14 **SECTION 596s.** 20.566 (8) (c) of the statutes is created to read:

15 20.566 (8) (c) *Vendor fees.* A sum sufficient to pay vendors for on–line and
16 instant ticket services and supplies provided by the vendors under contract under
17 s. 565.25 (2) (a). No moneys may be encumbered or expended from this appropriation
18 account after the day of publication of the 2001–03 biennial budget act.”.

19 **509.** Page 392, line 1: delete lines 1 to 6 and substitute:

20 “**SECTION 597g.** 20.566 (8) (q) of the statutes, as affected by 1999 Wisconsin Act
21 5, is amended to read:

22 20.566 (8) (q) *General program operations.* From the lottery fund, the amounts
23 in the schedule for general program operations under ch. 565. No moneys may be

1 encumbered or expended from this appropriation account during the 1999–2001
2 fiscal biennium.

3 **SECTION 597c.** 20.566 (8) (r) of the statutes is amended to read:

4 20.566 **(8)** (r) *Retailer compensation.* From the lottery fund, a sum sufficient
5 to pay compensation to retailers under s. 565.10 (14) (b). No moneys may be
6 encumbered or expended from this appropriation account during the 1999–2001
7 fiscal biennium.

8 **SECTION 597f.** 20.566 (8) (v) of the statutes is amended to read:

9 20.566 **(8)** (v) *Vendor fees.* From the lottery fund, a sum sufficient to pay
10 vendors for on–line and instant ticket services and supplies provided by the vendors
11 under contract under s. 565.25 (2) (a). No moneys may be encumbered or expended
12 from this appropriation account during the 1999–2001 fiscal biennium.”.

13 **510.** Page 394, line 23: delete lines 23 to 25.

14 **511.** Page 395, line 1: delete lines 1 to 4.

15 **512.** Page 395, line 4: after that line insert:

16 “**SECTION 606t.** 20.835 (2) (dn) of the statutes is created to read:

17 20.835 **(2)** (dn) *Farmland tax relief credit.* A sum sufficient to pay the aggregate
18 claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c), to the
19 extent that these claims are not paid under par. (ka). No moneys may be encumbered
20 or expended from this appropriation after the day of publication of the 2001–03
21 biennial budget act.”.

22 **513.** Page 395, line 13: after that line insert:

23 “**SECTION 612g.** 20.835 (2) (ka) of the statutes is created to read:

1 20.835 (2) (ka) *Farmland tax relief credit; Indian gaming receipts*. All moneys
2 transferred from the appropriation account under s. 20.505 (8) (hm) 19. to pay the
3 aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m)
4 (c).”.

5 **514.** Page 395, line 19: after that line insert:

6 “**SECTION 612p.** 20.835 (2) (q) of the statutes is amended to read:

7 20.835 (2) (q) *Farmland tax relief credit*. From the lottery fund, a sum
8 sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m)
9 (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka).
10 No moneys may be encumbered or expended from this appropriation account during
11 the 1999–2001 fiscal biennium.”.

12 **515.** Page 396, line 2: delete lines 2 to 5 and substitute:

13 “20.835 (4) (gg) *Local taxes*. ~~Ninety–seven percent of the All~~ moneys received
14 from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch.
15 77, for distribution to the districts under subch. II of ch. 229 that impose those taxes,
16 except that 2.55% of those moneys shall be credited to the appropriation account
17 under s. 20.566 (1) (gg).”.

18 **516.** Page 396, line 20: after that line insert:

19 “**SECTION 613km.** 20.855 (4) (f) of the statutes is amended to read:

20 20.855 (4) (f) *Supplemental title fee matching*. From the general fund, a sum
21 sufficient equal to the amount of supplemental title fees collected under s. ~~ss.~~
22 101.9208 (1) (dm) and 342.14 (3m), as determined under s. 85.037, to be transferred
23 to the environmental fund on October 1 annually.”.

24 **517.** Page 399, line 18: after “(7)” insert “(b) and”.

1 **518.** Page 399, line 22: before “(aq),” insert “(ag)”.

2 **519.** Page 399, line 24: after “(5) (c),” delete “(d)”.

3 **520.** Page 399, line 25: delete “(bm),” and substitute “(bp), (br)”.

4 **521.** Page 400, line 2: after that line insert:

5 “**SECTION 628b.** 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act
6 (this act), is repealed and recreated to read:

7 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
8 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
9 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e),
10 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh),
11 (ih), (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),
12 (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er), 20.395 (6) (aq)
13 and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1)
14 (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8)
15 (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the
16 payment of principal and interest on public debt contracted under subchs. I and IV
17 of ch. 18.”.

18 **522.** Page 400, line 9: decrease the underscored dollar amount by \$2,800,000.

19 **523.** Page 400, line 24: increase the dollar amount by \$56,000,000.

20 **524.** Page 400, line 25: delete “(5)” and substitute “(4g) (b), (4m) (k), (5) and
21 (5m)”.

22 **525.** Page 401, line 1: increase the dollar amount by \$5,600,000.

1 **526.** Page 401, line 21: increase the underscored dollar amount by
2 \$10,210,000.

3 **527.** Page 402, line 25: delete “\$3,000,000” and substitute “\$13,000,000”.

4 **528.** Page 403, line 21: after “s. 281.57” insert “and to upgrade or replace a
5 drinking water treatment plant under s. 281.57 (10t)”.

6 **529.** Page 403, line 25: delete “and (10r)” and substitute “, (10r) and (10t)”.

7 **530.** Page 405, line 23: delete “\$18,000,000” and substitute “\$22,000,000”.

8 **531.** Page 407, line 6: after that line insert:

9 “**SECTION 637e.** 20.866 (2) (wf) of the statutes is created to read:

10 20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the
11 capital improvement fund, a sum sufficient for the department of agriculture, trade
12 and consumer protection to fund the conservation reserve enhancement program
13 under s. 93.70. The state may contract public debt in an amount not to exceed
14 \$40,000,000 for this purpose.”.

15 **532.** Page 407, line 7: delete lines 7 to 22.

16 **533.** Page 409, line 12: delete lines 12 to 18.

17 **534.** Page 409, line 24: after that line insert:

18 “**SECTION 638x.** 20.866 (2) (zbp) of the statutes is created to read:

19 20.866 (2) (zbp) *Swiss cultural center.* From the capital improvement fund, a
20 sum sufficient for the building commission to provide grants to the organization
21 known as the Swiss Cultural Center to aid in the construction of a Swiss cultural
22 center in the village of New Glarus. The state may contract public debt in an amount
23 not to exceed \$1,000,000 for this purpose.”.

1 **535.** Page 409, line 24: after that line insert:

2 “**SECTION 638y.** 20.866 (2) (zbr) of the statutes is created to read:

3 20.866 **(2)** (zbr) *Milwaukee Police Athletic League; youth activities center.* From
4 the capital improvement fund, a sum sufficient for the building commission to
5 provide a grant to the Milwaukee Police Athletic League to aid in the construction
6 of the youth activities center specified in s. 13.48 (34). The state may contract public
7 debt in an amount not to exceed \$1,000,000 for this purpose.”.

8 **536.** Page 410, line 21: decrease the underscored dollar amount by
9 \$9,409,700.

10 **537.** Page 410, line 21: delete the material beginning with “If” and ending
11 with “paragraph.” on page 411, line 2.

12 **538.** Page 411, line 18: after that line insert:

13 “**SECTION 641p.** 20.866 (2) (zh) (title) of the statutes is amended to read:

14 20.866 **(2)** (zh) (title) *Public instruction; state schools school, state center and*
15 *library facilities.*”.

16 **539.** Page 412, line 24: delete the material beginning with that line and
17 ending with page 413, line 9.

18 **540.** Page 413, line 9: after that line insert:

19 “**SECTION 642x.** 20.867 (3) (bp) of the statutes is created to read:

20 20.867 **(3)** (bp) *Principal repayment, interest and rebates.* A sum sufficient to
21 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
22 in financing the construction of a Swiss cultural center in the village of New Glarus,
23 and to make the payments determined by the building commission under s. 13.488

1 (1) (m) that are attributable to the proceeds of obligations incurred in financing the
2 construction of a Swiss cultural center in the village of New Glarus.”.

3 **541.** Page 413, line 9: after that line insert:

4 “**SECTION 642y.** 20.867 (3) (br) of the statutes is created to read:

5 20.867 **(3)** (br) *Principal repayment, interest and rebates.* A sum sufficient to
6 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
7 in financing the construction of the youth activities center specified in s. 13.48 (34),
8 and to make the payments determined by the building commission under s. 13.488
9 (1) (m) that are attributable to the proceeds of obligations incurred in financing the
10 construction of that youth activities center.”.

11 **542.** Page 414, line 3: after that line insert:

12 “**SECTION 643p.** 20.907 (1c) of the statutes is created to read:

13 20.907 **(1c)** RECEIPT OF CERTAIN MONEYS. No state agency may encumber or
14 expend any moneys, other than moneys received as forfeitures imposed under state
15 law, received from any person pursuant to an agreement to settle a civil claim or
16 pursuant to a judgment in a civil action until the joint committee on finance has
17 approved a plan for the expenditure of the moneys.

18 **SECTION 643s.** 20.907 (1m) of the statutes is amended to read:

19 20.907 **(1m)** REPORTING. State agencies shall, by December 1 annually, submit
20 a report to the joint committee on finance and the department of administration on
21 expenditures made by the agency during the preceding fiscal year from nonfederal
22 funds received as gifts, grants, bequests or devises and from moneys, other than
23 moneys received as forfeitures imposed under state law, received from any person
24 pursuant to an agreement to settle a civil claim or pursuant to a judgment in a civil

1 action. The department of administration shall prescribe a form, which the
2 department may modify as appropriate for the various state agencies, that each state
3 agency must use to report its expenditures as required under this subsection. The
4 form shall require the expenditures to be reported in aggregate amounts as
5 determined by the department of administration. The report shall also include a
6 listing of in-kind contributions, including goods and services, received and used by
7 the state agency during the preceding fiscal year.”.

8 **543.** Page 414, line 21: after that line insert:

9 “**SECTION 645a.** 20.912 (4) of the statutes is amended to read:

10 20.912 **(4)** INSOLVENT DEPOSITORIES. When the bank, savings and loan
11 association, savings bank or credit union on which any check, share draft or other
12 draft is drawn by the state treasurer before payment of such check, share draft or
13 other draft becomes insolvent or is taken over by the division of banking, division of
14 savings and ~~loan~~ institutions, the federal home loan bank board, the U.S. office of
15 thrift supervision, the federal deposit insurance corporation, the resolution trust
16 corporation, the office of credit unions, the administrator of federal credit unions or
17 the U.S. comptroller of the currency, the state treasurer shall on the demand of the
18 person in whose favor such check, share draft or other draft was drawn and upon the
19 return to the treasurer of such check, share draft or other draft issue a replacement
20 for the same amount.”.

21 **544.** Page 414, line 21: after that line insert:

22 “**SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed.”.

23 **545.** Page 414, line 21: after that line insert:

24 “**SECTION 645L.** 20.921 (2) (a) of the statutes is amended to read:

1 20.921 **(2)** (a) Whenever it becomes necessary in pursuance of any federal or
2 state law or court-ordered assignment of income under s. 46.10 (14) (e), 301.12 (14)
3 (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265, ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ to
4 make deductions from the salaries of state officers or employees or employees of the
5 University of Wisconsin Hospitals and Clinics Authority, the state agency or
6 authority by which the officers or employees are employed is responsible for making
7 such deductions and paying over the total thereof for the purposes provided by the
8 laws or orders under which they were made.”.

9 **546.** Page 414, line 24: delete the material beginning with that line and
10 ending with page 415, line 18.

11 **547.** Page 415, line 18: after that line insert:

12 “**SECTION 648r.** 20.923 (6) (hq) of the statutes is created to read:
13 20.923 **(6)** (hq) State fair park board: staff employees.”.

14 **548.** Page 415, line 20: delete lines 20 to 25.

15 **549.** Page 416, line 1: delete lines 1 to 19.

16 **550.** Page 418, line 16: delete lines 16 to 18.

17 **551.** Page 419, line 13: before that line insert:

18 “**SECTION 652m.** 20.928 (1m) of the statutes is created to read:

19 20.928 **(1m)** Notwithstanding sub. (1), the board of regents of the University
20 of Wisconsin System may not include in any certification to the department of
21 administration under sub. (1) any sum to pay the costs resulting from employer
22 contributions for the payment of health insurance premiums for any teacher
23 described under s. 40.02 (25) (b) 1m., for coverage before the first day of the 7th month
24 beginning after the teacher begins employment with the state.”.

1 **552.** Page 427, line 18: after that line insert:

2 “**SECTION 663gm.** 23.0915 (1m) (b) of the statutes is repealed.”.

3 **553.** Page 431, line 15: after that line insert:

4 “(am) “Available bonding authority” means the annual bonding authority as it
5 may be adjusted under sub. (4g) (b), (4m) (k), (5) or (5m).”.

6 **554.** Page 431, line 22: after that line insert:

7 “(dm) “Nonprofit conservation organization” has the meaning given in s.
8 23.0955 (1).”.

9 **555.** Page 432, line 5: after that line insert:

10 “(i) “Total bonding authority” means the total amount that may be obligated
11 under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000
12 program over the entire duration of the program.”.

13 **556.** Page 432, line 7: delete “for conservation and recreational purposes”.

14 **557.** Page 432, line 9: after “acquisition” insert “for conservation and
15 recreational”.

16 **558.** Page 432, line 10: after that line insert:

17 “3. A subprogram for bluff protection.

18 4. A subprogram for land acquisition in the Baraboo Hills for conservation
19 purposes.”.

20 **559.** Page 432, line 11: substitute “Except as provided in sub. (5m), no” for
21 “No”.

22 **560.** Page 433, line 8: delete that line.

23 **561.** Page 433, line 10: delete lines 10 to 12 and substitute:

1 “(dm) Except as provided in subs. (4g) (b), (4m) (k), (5) and (5m), the department
2 may not obligate under the subprogram for land acquisition more than the following
3 amounts:

4 1. For fiscal year 2000–01, \$28,500,000.

5 2. For each fiscal year beginning with 2001–02 and ending with fiscal year
6 2009–10, \$34,500,000.”.

7 **562.** Page 434, line 11: delete “\$9,400,000” and substitute “\$11,500,000”.

8 **563.** Page 434, line 15: delete “\$1,400,000” and substitute “\$3,500,000”.

9 **564.** Page 434, line 17: delete lines 17 to 19.

10 **565.** Page 434, line 21: after that line insert:

11 “(4g) BLUFF PROTECTION. (a) The department may not obligate more than
12 \$1,000,000 under the subprogram for bluff protection.

13 (b) If the total amount obligated for the subprogram for bluff protection on June
14 30, 2004, is less than \$1,000,000, the department shall calculate the unobligated
15 amount by subtracting the total obligated amount from \$1,000,000. The department
16 shall then adjust the available bonding authority for the subprogram for land
17 acquisition by increasing the available bonding authority in an amount equal to the
18 unobligated amount.

19 (c) The department may not obligate moneys for the subprogram for bluff
20 protection after June 30, 2004.

21 **(4m) BARABOO HILLS.** (a) *Definitions.* In this subsection:

22 1. “Assigned amount” means the sum of the amounts made available for
23 expenditure under par. (g) and the amounts set aside by the department under par.

24 (h) 1.

1 2. “Federal nontransportation moneys” means moneys received from the
2 federal government that are not deposited in the transportation fund and that are
3 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

4 3. “Local governmental unit” means a city, village, town, county, lake sanitary
5 district, as defined in s. 30.50 (4q), or a public inland lake protection and
6 rehabilitation district.

7 (b) *Matching funding.* The department shall provide funding under the
8 subprogram for the Baraboo Hills to match the value of land acquisitions that are
9 certified as qualifying matching land acquisitions under par. (e).

10 (c) *Overall requirements.* 1. The department may obligate not more than
11 \$5,000,000 under the subprogram for the Baraboo Hills.

12 2. The amount of moneys, other than federal moneys, that may be used by local
13 governmental units or nonprofit conservation organizations to make land
14 acquisitions that are certified as qualifying matching land acquisitions under par.
15 (e) may not exceed \$2,500,000.

16 3. Land that is either certified as a qualifying matching land acquisition under
17 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.
18 (g) or (h) 2. may not be department land or land that is otherwise owned or under the
19 jurisdiction of the state on the effective date of this subdivision [revisor inserts
20 date].

21 (d) *Matching land acquisitions; requirements.* The department may only
22 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition
23 to which all of the following apply:

24 1. The land is being acquired for conservation purposes.

1 2. The land is being acquired by the federal government, by a local
2 governmental unit or by a nonprofit conservation organization.

3 3. Any federal moneys being used for the acquisition are federal
4 nontransportation moneys.

5 (e) *Matching land acquisitions; certification.* The department shall certify
6 which land acquisitions qualify as matching land acquisitions for the subprogram for
7 the Baraboo Hills and shall determine the values of these matching land acquisitions
8 as provided in par. (f).

9 (f) *Matching land acquisitions; valuation.* The value of a land acquisition that
10 is certified as a qualifying matching land acquisition under par. (e), shall be
11 calculated as follows:

12 1. For land that is acquired by purchase at fair market value, the value shall
13 equal the sum of the purchase price and the costs incurred by the federal
14 government, local governmental unit or nonprofit conservation organization in
15 acquiring the land.

16 2. For land that is acquired by gift or bequest or by purchase at less than fair
17 market value, the value shall equal the sum of the appraised fair market value of the
18 land at the time of the acquisition and the costs incurred by the acquiring entity in
19 acquiring the land. The acquiring entity shall supply the appraisal upon which the
20 appraised fair market value is based.

21 (g) *Matching land acquisitions; available moneys.* For each land acquisition
22 that is certified as a qualifying matching land acquisition under par. (e), the
23 department shall make available for expenditure moneys in an amount that equals
24 the value of the land acquisition, as calculated under par. (f). This paragraph does
25 not apply to a land acquisition that is acquired with moneys committed by the federal

1 government, local governmental unit or nonprofit conservation organization under
2 par. (h).

3 (h) *Matching land acquisitions; future commitments.* 1. In addition to the
4 moneys made available for expenditure under par. (g), the department shall set aside
5 moneys in amounts that equal amounts that the federal government, local
6 governmental units or nonprofit conservation organizations commit for the
7 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys
8 that are committed under this paragraph shall be federal nontransportation
9 moneys. The department may set aside moneys under this paragraph only for
10 commitments that are made before January 1, 2006.

11 2. For each land acquisition that is made by using moneys that are committed
12 by the federal government, a local governmental unit or a nonprofit conservation
13 organization under this paragraph and that is certified as a qualifying matching
14 land acquisition under par. (e), the department shall make available for expenditure
15 moneys in an amount that equals the value of the land acquisition, as calculated
16 under par. (f), after the acquisition is certified.

17 (i) *Available moneys; uses.* The moneys made available for expenditure under
18 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills
19 for conservation purposes and to award grants to local governmental units and
20 nonprofit conservation organizations.

21 (j) *Available moneys; grant requirements.* A local governmental unit or
22 nonprofit conservation organization that receives a grant under par. (i) does not need
23 to provide any matching funding. Land acquired with moneys from a grant awarded
24 under par. (i) may not be certified by the department as a qualifying matching land

1 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land
2 for conservation purposes in the Baraboo Hills.

3 (k) *Unassigned amount.* If the assigned amount for the subprogram for the
4 Baraboo Hills on January 1, 2006, is less than the available bonding authority, the
5 department shall calculate the unassigned amount by subtracting the assigned
6 amount from the available bonding authority. The department shall then adjust the
7 annual bonding authority for the subprogram for land acquisition by increasing its
8 annual bonding authority by an amount equal to this unassigned amount. The
9 department shall expend any assigned amount that has not been expended before
10 January 1, 2006, for acquisitions, by the department, of land for conservation
11 purposes and for grants that meet the requirements under par. (j).

12 (L) *Highway construction required.* No moneys may be obligated for the
13 subprogram for the Baraboo Hills before the department of transportation certifies
14 to the department of natural resources that highway construction that will result in
15 at least 4 traffic lanes has begun on the portion of USH 12 between the city of
16 Middleton and the village of Sauk City.”.

17 **566.** Page 436, line 9: after that line insert:

18 “(5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year
19 1999–2000, the department, subject to the approval of the governor and the joint
20 committee on finance under sub. (6), may obligate under the subprogram for land
21 acquisition any amount not in excess of the total bonding authority for that
22 subprogram for the acquisition of land.

23 (b) For each land acquisition transaction under this subsection, all of the
24 following apply:

1 1. The department shall sell a portion of the acquired land.

2 2. All proceeds from the sale of the land, up to the amount obligated under par.

3 (a) as determined by the secretary of administration, shall be deposited in the
4 general fund and credited to the appropriation account under s. 20.370 (7) (ag).

5 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated
6 under par. (a) shall be deposited in the general fund.

7 3. For bonds that are retired from the proceeds of the sale of the acquired land
8 within 3 years after the date on which the land was acquired by the department, the
9 department shall adjust the available bonding authority for the subprogram for land
10 acquisition by increasing the available bonding authority for the fiscal year in which
11 the bonds are retired by an amount equal to the total amount of the bonds issued for
12 the sale that have been retired in that fiscal year.

13 4. For bonds that are not retired from the proceeds of the sale of the acquired
14 land within 3 years after the date on which the land was acquired by the department,
15 the department shall adjust the available bonding authority for the subprogram for
16 land acquisition by decreasing the available bonding authority for the next fiscal
17 year beginning after the end of that 3–year period by an amount equal to the total
18 amount of the bonds that have not been retired from such proceeds in that fiscal year
19 and, if necessary, shall decrease for each subsequent fiscal year the available bonding
20 authority in an amount equal to that available bonding authority or equal to the
21 amount still needed to equal the total amount of the bonds that have not been retired
22 from such proceeds, whichever is less, until the available bonding authority has been
23 decreased by an amount equal to the total of the bonds that have not been retired.

24 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need
25 not be for conservation or recreational purposes.

1 (d) The department of administration shall monitor all transactions under this
2 subsection to ensure compliance with federal law and to ensure that interest on the
3 bonds is tax-exempt for the holders of the bonds.”.

4 **567.** Page 436, line 10: before “The department” insert “(a)”.

5 **568.** Page 436, line 11: delete “more”.

6 **569.** Page 436, line 12: delete “than \$250,000” and substitute “any moneys”.

7 **570.** Page 436, line 19: after that line insert:

8 “(b) Paragraph (a) applies only to an amount for a project or activity that
9 exceeds \$250,000, except as provided in par. (c).

10 (c) Paragraph (a) applies to any land acquisition under sub. (5m).”.

11 **571.** Page 437, line 22: delete lines 22 to 25.

12 **572.** Page 438, line 4: after that line insert:

13 “(d) The department may not acquire land using moneys from the
14 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the
15 members-elect, as defined in s. 59.001 (2m), of the county board of supervisors of the
16 county in which the land is located if at least 66% of the land in the county is owned
17 or under the jurisdiction of the state, the federal government or a local governmental
18 unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the
19 acquisition, the county in which the land is located shall post notices that inform the
20 residents of the community surrounding the land of the possible acquisitions.”.

21 **573.** Page 444, line 21: after that line insert:

22 “**SECTION 665rc.** 23.0955 (2) (a) (intro.) of the statutes is amended to read:

1 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the
2 department shall provide one grant of \$75,000 ~~\$250,000~~ in each fiscal year ~~1996–97,~~
3 beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that is
4 described under section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal
5 Revenue Code, in existence on the effective date of this paragraph [revisor inserts
6 date], and organized in this state if the corporation meets all of the following
7 requirements:

8 **SECTION 665rd.** 23.0955 (2) (a) 3. of the statutes is amended to read:

9 23.0955 (2) (a) 3. The corporation has a board of directors whose members
10 represent, to the greatest extent practicable, all geographic areas of the state and
11 that has a majority of members who are representatives of nonprofit conservation
12 organizations.

13 **SECTION 665re.** 23.0955 (2) (am) of the statutes is repealed.

14 **SECTION 665rf.** 23.0955 (2) (b) (intro.) of the statutes is amended to read:

15 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection
16 shall do all of the following, but shall emphasize the activities described in subds. 1.
17 and 2.:

18 **SECTION 665rg.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

19 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring
20 property for conservation purposes and in managing property acquired for
21 conservation purposes.

22 4. Acquire a property for conservation purposes where no other nonprofit
23 conservation organization exists that is willing to assist or capable of effectively
24 assisting in the transfer of the property or that can adequately manage the property
25 after it is acquired.

1 5. For each fiscal year, prepare a report detailing the activities for which a grant
2 under this section was expended, describing any property acquired by the
3 corporation and explaining how the acquisition of that property furthers the goal of
4 conservation in the state. Copies of the report shall be submitted to the department
5 and to the legislature under s. 13.172 (2).

6 **SECTION 665rh.** 23.0955 (3) of the statutes is created to read:

7 23.0955 **(3)** (a) During the period beginning on January 1, 2004, and ending on
8 July 1, 2004, the department shall submit a comprehensive report describing the cost
9 of, and accomplishments achieved by, activities funded with grants under this
10 section, commencing with the grants provided in the 1999–2000 fiscal year. The
11 report shall evaluate all of the following:

12 1. How grants under this section have furthered the goal of encouraging private
13 resource conservation.

14 2. The extent to which grants under this section complement the resource
15 conservation goals of the department.

16 (b) The report shall contain a recommendation to the legislature on whether
17 the grant program under this section should be continued, eliminated or revised.

18 (c) The report shall be distributed to the speaker of the assembly and the
19 president of the senate under s. 13.172 (3).

20 **SECTION 665ri.** 23.0956 of the statutes is created to read:

21 **23.0956 Assistance for private conservation activities.** **(1)** From the
22 appropriation under s. 20.370 (5) (aw), the department shall provide one grant of
23 \$85,000 in each fiscal year, beginning with fiscal year 2000–01, to a nonstock,
24 nonprofit corporation that is described under section 501 (c) (3) or (4) of the Internal

1 Revenue Code and organized in this state if the corporation meets all of the following
2 requirements:

3 (a) The corporation is exempt from taxation under section 501 (a) of the
4 Internal Revenue Code.

5 (b) The corporation was created to accept and to utilize private contributions
6 made to protect and enhance the state's natural resources.

7 **(2)** A corporation receiving a grant under sub. (1) shall use the grant to do all
8 of the following:

9 (a) Encourage private corporations and other private entities to undertake
10 activities, including the contribution of money, that encourage management and
11 restoration of the state's endangered wild animals, wild plants and natural
12 communities.

13 (b) Encourage private corporations and other private entities to engage in land
14 management practices that protect and preserve natural resources.

15 (c) Provide grants to nonprofit and other groups to encourage education,
16 restoration and management activities to enhance the state's natural resources.”.

17 **574.** Page 447, line 12: after that line insert:

18 “**SECTION 665vm.** 23.0962 (3) of the statutes is created to read:

19 23.0962 **(3)** (a) In this subsection:

20 1. “Local governmental unit” means county or town.

21 2. “Special zoning permission” has the meaning given in s. 59.69 (15) (g).

22 (b) Notwithstanding s. 18.04 (1) and (2), the building commission may
23 authorize public debt to be contracted, and the department may make a grant from

1 the appropriation under s. 20.370 (5) (cq), for the property known as Black Point
2 Estate only if all of the following apply:

3 1. A substantially completed application for any necessary special zoning
4 permission for the property has been submitted before December 1, 1999, to the
5 applicable local governmental unit.

6 2. The necessary special zoning permission, based on the application submitted
7 before December 1, 1999, is granted.”.

8 **575.** Page 449, line 16: delete “\$500,000,” and substitute “\$750,000,”.

9 **576.** Page 450, line 13: after that line insert:

10 “(2m) ROCK RIVER; RECREATIONAL CORRIDOR. (a) From the appropriation under
11 s. 20.866 (2) (tz), the department shall provide funding to the city of Janesville under
12 the urban rivers grant program under s. 30.277 for the Rock River recreational
13 corridor. The amount provided by the department under this paragraph may not
14 exceed that amount that equals the matching contributions made for the corridor by
15 the city of Janesville or \$100,000, whichever is less. The requirements for matching
16 contributions under s. 30.277 (5) shall apply.

17 (b) The funding under par. (a) is in addition to any encumbrance or expenditure
18 approved by the joint committee on finance under s. 23.0915 (4) for the Rock River
19 recreational corridor.”.

20 **577.** Page 450, line 17: delete “\$100,000” and substitute “\$125,000”.

21 **578.** Page 450, line 25: after that line insert:

22 “(3m) RIB MOUNTAIN STATE PARK. From the appropriation under s. 20.866 (2)
23 (ta) or (tz) or both, the department shall provide funding in the amount of \$500,000
24 to rebuild a chalet at Rib Mountain State Park. The department shall determine how

1 the moneys being provided under this subsection will be allocated between the
2 appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1),
3 moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as
4 moneys expended for general property development. For purposes of s. 23.0917,
5 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as
6 moneys obligated under the subprogram for property development and local
7 assistance.”.

8 **579.** Page 451, line 23: after that line insert:

9 “(6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)
10 (tz), the department shall provide \$173,763 for the development and expansion of
11 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.
12 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be
13 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)
14 to (k) or any combination of those purposes.

15 **SECTION 671mn.** 23.198 of the statutes is created to read:

16 **23.198 Milwaukee Lakeshore State Park. (1) STEWARDSHIP FUNDING.** (a)
17 From the appropriation under s. 20.866 (2) (ta), the department shall provide up to
18 \$1,500,000 for the development of a state park which will provide access to Lake
19 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided
20 under this paragraph shall be treated as moneys obligated under the subprogram for
21 property development and local assistance.

22 (b) From the appropriation under s. 20.866 (2) (tz), the department shall
23 provide up to \$500,000 for development of a state park as described in par. (a). For

1 purposes of s. 23.0915 (1), moneys provided under this paragraph shall be treated as
2 moneys expended for general property development.

3 **(2) OTHER FUNDING.** (a) The department shall expend the following amounts
4 from the appropriation under s. 20.370 (5) (cq) for the development of a state park
5 as described in sub. (1):

6 1. Up to \$2,400,000 of the moneys appropriated from that appropriation for
7 fiscal year 1999–2000.

8 2. Up to \$2,000,000 of the moneys appropriated from that appropriation for
9 fiscal year 2000–01.

10 (b) Of the amounts authorized for expenditure under par. (a) 1., the department
11 shall provide up to \$400,000 to the Milwaukee Art Museum for the construction of
12 a breakwater.

13 (c) Beginning on July 1, 2000, the department shall expend from the
14 appropriation under s. 20.370 (7) (fs) \$1,000,000 for a state park as described in sub.
15 (1).”.

16 **580.** Page 457, line 16: after that line insert:

17 “**SECTION 672p.** 23.317 of the statutes is created to read:

18 **23.317 In-service training.** At least once during each fiscal biennium, the
19 department shall offer an in-service training course that provides training on the
20 topic of natural resources and public relations. The department may offer the
21 training course in one or more sessions during the fiscal biennium. The department
22 shall model its training course on the training course on the topic of natural resources
23 and public relations that is part of the course offerings of the University of

1 Wisconsin–Stevens Point on the effective date of this section [revisor inserts
2 date].”.

3 **581.** Page 459, line 21: after that line insert:

4 “**SECTION 681g.** 23.33 (4) (c) (title) of the statutes is amended to read:

5 23.33 **(4)** (c) (title) *Exceptions; municipal, state and utility operations; races and*
6 *derbies; land surveying operations.*

7 **SECTION 681h.** 23.33 (4) (c) 1m. of the statutes is created to read:

8 23.33 **(4)** (c) 1m. Paragraphs (a) and (b) do not apply to the operator of an
9 all–terrain vehicle who is engaged in land surveying operations, if safety does not
10 require strict adherence to the restrictions under pars. (a) and (b).”.

11 **582.** Page 462, line 7: after that line insert:

12 “**SECTION 689b.** 24.61 (2) (a) (title) of the statutes is amended to read:

13 24.61 **(2)** (a) (title) *Authorized investments by board.*

14 **SECTION 689d.** 24.61 (2) (a) 3. of the statutes is amended to read:

15 24.61 **(2)** (a) 3. Bonds and notes of this state.

16 **SECTION 689fh.** 24.61 (2) (b) of the statutes is amended to read:

17 24.61 **(2)** (b) *Deposited with state treasurer.* All bonds, notes and other
18 securities so purchased under par. (a) shall be deposited with the state treasurer.

19 **SECTION 689j.** 24.61 (2) (c) of the statutes is created to read:

20 24.61 **(2)** (c) *Delegation of investment authority to investment board.* The board
21 may delegate to the investment board the authority to invest part or all of the moneys
22 belonging to the trust funds. If the board delegates the authority, the investment
23 board may invest the moneys belonging to the trust funds in any manner authorized
24 for the investment of any funds specified in s. 25.17 (1).

1 **SECTION 689L.** 24.62 (1) of the statutes is amended to read:

2 24.62 **(1)** Except as authorized in sub. (2), the board shall deduct its expenses
3 incurred in administering investments and loans under s. 24.61 from the gross
4 receipts of the fund to which the interest and income of the investment or loan will
5 be added. If the board delegates to the investment board the authority to invest part
6 or all of the moneys belonging to the trust funds, the investment board shall deduct
7 its expenses incurred in administering investments under s. 24.61 from the gross
8 receipts of the fund to which the interest and income of the investment will be
9 added.”.

10 **583.** Page 463, line 14: after that line insert:

11 “**SECTION 694s.** 25.16 (8) of the statutes is created to read:

12 25.16 **(8)** The executive director shall assign an investment professional to
13 assist the board of commissioners of public lands in establishing and maintaining
14 investment objectives with respect to the investment of the assets of the agricultural
15 college fund, the common school fund, the normal school fund and the university
16 fund. An amount equal to the cost of any services rendered to the board of
17 commissioners of public lands under this subsection shall be deducted from the gross
18 receipts of the fund to which the moneys invested belong and shall be credited to the
19 appropriation account under s. 20.536 (1) (k).”.

20 **584.** Page 464, line 2: after that line insert:

21 “**SECTION 695b.** 25.17 (1) (ah) of the statutes is created to read:

22 25.17 **(1)** (ah) Agricultural college fund (s. 24.82), but subject to the terms of
23 delegation under s. 24.61 (2) (c);

24 **SECTION 695m.** 25.17 (1) (ax) of the statutes is created to read:

1 25.17 (1) (ax) Common school fund (s. 24.76), but subject to the terms of
2 delegation under s. 24.61 (2) (c);”.

3 **585.** Page 464, line 2: after that line insert:

4 “**SECTION 697b.** 25.17 (1) (ai) of the statutes is created to read:
5 25.17 (1) (ai) Air quality improvement fund (s. 25.97);”.

6 **586.** Page 464, line 8: after that line insert:

7 “**SECTION 698c.** 25.17 (1) (kd) of the statutes is created to read:

8 25.17 (1) (kd) Normal school fund (s. 24.80), but subject to the terms of
9 delegation under s. 24.61 (2) (c);”.

10 **587.** Page 464, line 10: after that line insert:

11 “**SECTION 699m.** 25.17 (1) (xLm) of the statutes is created to read:

12 25.17 (1) (xLm) University fund (s. 24.81), but subject to the terms of delegation
13 under s. 24.61 (2) (c);

14 **SECTION 699s.** 25.17 (1) (zm) of the statutes is amended to read:

15 25.17 (1) (zm) All other funds of the state or of any state department or
16 institution, ~~except funds which under article X of the constitution are controlled and~~
17 ~~invested by the board of commissioners of public lands,~~ funds which are required by
18 specific provision of law to be controlled and invested by any other authority, and
19 moneys in the university University of Wisconsin trust funds, and in the trust funds
20 of the state universities.”.

21 **588.** Page 464, line 10: after that line insert:

22 “**SECTION 699m.** 25.17 (1) (xm) of the statutes is created to read:

23 25.17 (1) (xm) Utility public benefits fund (s. 25.96);”.

24 **589.** Page 464, line 11: delete lines 11 to 22.

1 **590.** Page 465, line 17: after that line insert:

2 “**SECTION 701p.** 25.187 of the statutes is created to read:

3 **25.187 Operating expenditures. (1)** In this section, “operating
4 expenditures” include all costs and expenses incurred by the investment board for
5 the purpose of operating the board and managing the assets of each fund for which
6 the board has management responsibility, but does not include costs or expenses
7 incurred under s. 25.18 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.).

8 **(2)** (a) Subject to pars. (b) and (c), on July 1 and January 1 of each year, the
9 investment board shall estimate the amounts required for its operating expenditures
10 for the next 6–month period and shall assess each fund for which the board has
11 management responsibility for its share of the estimated operating expenditures in
12 an equitable manner. The board shall pay the assessment from the current income
13 of each fund, unless an appropriation is made for payment of the assessment, in
14 which case the assessment shall be paid from that appropriation account.

15 (b) If the estimate of the amounts required for the board’s operating
16 expenditures for a 6–month period differs from its actual operating expenditures, the
17 board shall adjust the estimate of the amounts required for its operating
18 expenditures for the next 6–month period to reflect the difference between its
19 estimated operating expenditures and actual operating expenditures for the prior
20 6–month period.

21 (c) 1. Except as provided in subd. 2., the total amount that the board may assess
22 the funds for which the board has management responsibility for any fiscal year may
23 not exceed the greater of \$17,720,500 or 0.0275% of the total market value of the
24 assets of the funds on April 30 of the preceding fiscal year.

1 2. In addition to the amount assessed under subd. 1., the board may assess the
2 funds for which the board has management responsibility for any fiscal year up to
3 an additional 0.0025% of the total market value of the assets of the funds on April
4 30 of the preceding fiscal year if the board notifies the joint committee on finance in
5 writing of the proposed assessment. If the cochairpersons of the committee do not
6 notify the board that the committee has scheduled a meeting for the purpose of
7 reviewing the proposed assessment within 14 working days after the date of the
8 board's notification, the board may make the assessment. If, within 14 working days
9 after the date of the board's notification, the cochairpersons of the committee notify
10 the board that the committee has scheduled a meeting for the purpose of reviewing
11 the proposed assessment, the board may make the assessment only upon approval
12 of the committee.

13 3. For the purposes of this paragraph, the board shall do all of the following:

14 a. Determine the total market value of the assets of the funds according to the
15 methodology used to determine the market value of the fixed retirement investment
16 trust under s. 25.17 (14).

17 b. Annually, certify to the department of administration and to the joint
18 committee on finance the total market value of the assets of the funds on April 30 no
19 later than June 15.

20 **(3)** The investment board shall transmit a notice of each assessment to each
21 fund at the time that the assessment is made, and shall transmit a statement of the
22 board's actual expenditures for management of each fund at the close of each fiscal
23 year both to the state agency having primary responsibility for expenditure of
24 principal or earnings of the fund and to the department of administration or, if there
25 is no state agency, only to the department of administration.”.

1 **591.** Page 465, line 23: after that line insert:

2 “**SECTION 702m.** 25.29 (7) (intro.) of the statutes is amended to read:

3 25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and
4 all moneys paid into the state treasury as the counties’ share of compensation of
5 emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and
6 developing the forests of the state, including the acquisition of lands owned by
7 counties by virtue of any tax deed and of other lands suitable for state forests, and
8 for the development of lands so acquired and the conduct of forestry thereon,
9 including the growing and planting of trees; for forest and marsh fire prevention and
10 control; for grants to forestry cooperatives under s. 36.56; for compensation of
11 emergency fire wardens; for maintenance, permanent property and forestry
12 improvements; for other forestry purposes authorized by law and for the payment of
13 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.”.

14 **592.** Page 465, line 23: after that line insert:

15 “**SECTION 702m.** 25.29 (3m) of the statutes is created to read:

16 25.29 (3m) (a) The total amount that the department may expend for a given
17 fiscal year from the fish and wildlife account of the conservation fund for
18 administrative costs may not exceed 16% of the expenditures from that account for
19 that fiscal year.

20 (b) For purposes of par. (a), administrative costs consist of the costs incurred
21 in the administration of the department and its divisions and bureaus, in providing
22 support services for the department and in the issuance of licenses and other
23 approvals by the department.”.

24 **593.** Page 466, line 13: delete lines 13 to 16.

1 **594.** Page 466, line 16: after that line insert:

2 “**SECTION 704mh.** 25.40 (1) (fm) of the statutes is created to read:

3 25.40 **(1)** (fm) All moneys received as fees under s. 101.9208 (1), except fees
4 received under s. 101.9208 (1) (b).

5 **SECTION 704pd.** 25.40 (2) (b) 19g. of the statutes is created to read:

6 25.40 **(2)** (b) 19g. Section 20.143 (3) (sa).”.

7 **595.** Page 466, line 17: delete lines 17 to 23.

8 **596.** Page 467, line 21: delete “(2)” and substitute “(1) (b)”.

9 **597.** Page 468, line 22: delete “(9) (c) and (9m)” and substitute “(8m) and (9)
10 (c)”.

11 **598.** Page 468, line 22: after that line insert:

12 “**SECTION 716m.** 25.49 (3) of the statutes is created to read:

13 25.49 **(3)** The fees imposed under s. 289.645.”.

14 **599.** Page 470, line 10: delete “\$26,600,000” and substitute “\$23,500,000”.

15 **600.** Page 470, line 13: delete “only”.

16 **601.** Page 470, line 14: after that line insert:

17 “**SECTION 717xa.** 25.75 (1) (b) of the statutes is amended to read:

18 25.75 **(1)** (b) “Gross lottery revenues” means gross revenues from the sale of
19 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of
20 fees, if any, under s. 565.10 (8) ~~and includes compensation, including bonuses, if any,~~
21 ~~paid to retailers under s. 565.10 (14), regardless of whether the compensation is~~
22 ~~deducted by the retailer prior to transmitting lottery ticket and lottery share~~
23 ~~revenues to the commission.~~

1 **SECTION 717xb.** 25.75 (1) (b) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is repealed and recreated to read:

3 25.75 (1) (b) “Gross lottery revenues” means gross revenues from the sale of
4 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of
5 fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any,
6 paid to retailers under s. 565.10 (14), regardless of whether the compensation is
7 deducted by the retailer prior to transmitting lottery ticket and lottery share
8 revenues to the commission.

9 **SECTION 717xf.** 25.75 (1) (c) 3. of the statutes is repealed.

10 **SECTION 717xg.** 25.75 (1) (c) 3. of the statutes is created to read:

11 25.75 (1) (c) 3. Amounts for other expenses including compensation paid to
12 retailers under s. 565.10 (14) and amounts paid to vendors for on-line services and
13 supplies provided by the vendors under contract under s. 565.25 (2) (a).

14 **SECTION 717xh.** 25.75 (2) of the statutes, as affected by 1999 Wisconsin Act 5,
15 is amended to read:

16 25.75 (2) **CREATION.** There is created a separate nonlapsible trust fund known
17 as the lottery fund, to consist of gross lottery revenues received by the department
18 of revenue and moneys transferred to the lottery fund under ss. 20.455 (2) (g) and
19 20.505 (8) (am), (g) and (jm) and 1999 Wisconsin Act (this act), section 9243 (2c).

20 **SECTION 717xi.** 25.75 (3) (b) of the statutes is repealed.

21 **SECTION 717xj.** 25.75 (3) (b) of the statutes is created to read:

22 25.75 (3) (b) *Expenses.* No more than an amount equal to 10% of gross lottery
23 revenues for each year may be expended to pay the expenses for the operation and
24 administration of the lottery, except that expenses for the operation and
25 administration of the lottery may exceed 10% of gross lottery revenues if so approved

1 by the joint committee on finance under s. 13.10. In computing expenses subject to
2 the 10% limitation under this paragraph:

3 1. Compensation paid to retailers under s. 565.10 (14) shall not be included.

4 2. Capital expenditures may be amortized.

5 3. Payments to vendors for on-line services and supplies provided by the
6 vendors under contract under s. 565.25 (2) (a) shall be included.

7 4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not
8 be included.

9 **SECTION 717yn.** 25.75 (3) (e) of the statutes is created to read:

10 25.75 (3) (e) From the appropriation under s. 20.566 (2) (r), lottery proceeds
11 shall be used to offset department of revenue expenses in administering the lottery
12 credit.

13 **SECTION 717ym.** 25.75 (3) (e) of the statutes, as affected by 1999 Wisconsin Act
14 5, is repealed.”.

15 **602.** Page 470, line 18: after that line insert:

16 “**SECTION 718b.** 25.96 of the statutes is created to read:

17 **25.96 Utility public benefits fund.** There is established a separate
18 nonlapsible trust fund designated as the utility public benefits fund, consisting of
19 deposits by the public service commission under s. 196.374 (3), public benefits fees
20 received under s. 16.957 (4) (a) and (5) (c) and (d) and contributions received under
21 s. 16.957 (2) (c) 4. and (d) 2.

22 **SECTION 718d.** 25.97 of the statutes is created to read:

23 **25.97 Air quality improvement fund.** There is established a separate
24 nonlapsible trust fund designated as the air quality improvement fund, consisting

1 of all moneys transferred under s. 16.958 (2) (a) and all moneys deposited under s.
2 196.86 (3).”.

3 **603.** Page 473, line 10: after that line insert:

4 “**SECTION 722tm.** 29.024 (2g) (a) 1. of the statutes is amended to read:

5 29.024 (**2g**) (a) 1. Any license issued under this chapter except for any group
6 fishing license issued under s. 29.193 (5).”.

7 **604.** Page 473, line 10: after that line insert:

8 “**SECTION 722te.** 29.024 (2g) (a) (intro.) of the statutes is amended to read:

9 29.024 (**2g**) (a) *Social security numbers required.* (intro.) The Except as
10 provided in par. (am), the department shall require an applicant who is an individual
11 to provide his or her social security number as a condition of applying for, or applying
12 to renew, any of the following approvals:

13 **SECTION 722tm.** 29.024 (2g) (am) of the statutes is created to read:

14 29.024 (**2g**) (am) *Social security numbers exceptions.* If an applicant who is an
15 individual does not have a social security number, the applicant, as a condition of
16 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall
17 submit a statement made or subscribed under oath or affirmation to the department
18 that the applicant does not have a social security number. The form of the statement
19 shall be prescribed by the department of workforce development. An approval issued
20 by the department of natural resources in reliance on a false statement submitted
21 by an applicant under this paragraph is invalid.

22 **SECTION 722ts.** 29.024 (2g) (d) 2. of the statutes is amended to read:

23 29.024 (**2g**) (d) 2. As provided in the memorandum of understanding required
24 under s. 49.857 (2), the department shall deny an application to issue or renew an

1 approval specified in par. (a) 1. to 3. if the applicant for or the holder of the approval
2 fails to provide his or her social security number as required under par. (a), unless
3 the applicant is an individual who does not have a social security number and who
4 submits a statement made or subscribed under oath or affirmation as required under
5 par. (am).”.

6 **605.** Page 473, line 15: after “approvals,” insert “other than the method under
7 par. (am) for submitting a statement made or subscribed under oath or affirmation
8 that the individual does not have a social security number,”.

9 **606.** Page 473, line 20: after that line insert:

10 “**SECTION 722ue.** 29.024 (2r) (a) (intro.) of the statutes is amended to read:

11 29.024 **(2r)** (a) *Social security and identification numbers required.* (intro.)

12 The Except as provided in par. (am), the department shall require an applicant who
13 is an individual to provide his or her social security number and an applicant who
14 is not an individual to provide the applicant’s federal employer identification number
15 as a condition of applying for, or applying to renew, any of the following approvals:

16 **SECTION 722um.** 29.024 (2r) (am) of the statutes is created to read:

17 29.024 **(2r)** (am) *Social security and identification numbers exceptions.* If an
18 applicant who is an individual does not have a social security number, the applicant,
19 as a condition of applying for, or applying to renew, any of the approvals specified in
20 par. (a) 1. to 21., shall submit a statement made or subscribed under oath or
21 affirmation to the department that the applicant does not have a social security
22 number. The form of the statement shall be prescribed by the department of
23 workforce development. An approval issued by the department of natural resources

1 in reliance on a false statement submitted by an applicant under this paragraph is
2 invalid.

3 **SECTION 722us.** 29.024 (2r) (d) of the statutes is renumbered 29.024 (2r) (d) 1.
4 and amended to read:

5 29.024 (2r) (d) 1. The Except as provided in subd. 2., the department shall deny
6 an application to issue or renew, or revoke if already issued, an approval specified
7 in par. (a) if the applicant for or the holder of the approval fails to provide the
8 information required under par. (a) or if the department of revenue certifies that the
9 applicant or approval holder is liable for delinquent taxes under s. 73.0301.

10 **SECTION 722ut.** 29.024 (2r) (d) 2. of the statutes is created to read:

11 29.024 (2r) (d) 2. The department may not deny an application under subd. 1.
12 for the reason that the applicant failed to provide his or her social security number,
13 if the applicant is an individual who submitted a statement made or subscribed
14 under oath or affirmation as required under par. (am).”.

15 **607.** Page 476, line 23: after that line insert:

16 “**SECTION 727m.** 29.193 (5) of the statutes is created to read:

17 29.193 (5) GROUP FISHING LICENSE FOR THE DEVELOPMENTALLY DISABLED. (a)
18 “Developmental disability” has the meaning given in s. 51.01 (5) (a).

19 (b) The department shall issue one-day group fishing licenses to groups
20 consisting of individuals with developmental disabilities and their caregivers. Not
21 more than 12 individuals may fish under the privilege conferred by each license.”.

22 **608.** Page 477, line 2: after that line insert:

23 “**SECTION 728g.** 29.229 (5m) (b) of the statutes is amended to read:

1 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
2 require each person who has a social security number, as a condition of being issued
3 an approval under this section, to provide to the band his or her social security
4 number, tribal laws or ordinances that require each person who does not have a social
5 security number, as a condition of being issued an approval under this section, to
6 provide to the band a statement made or subscribed under oath or affirmation on a
7 form prescribed by the department of workforce development that the person does
8 not have a social security number, and tribal laws or ordinances that prohibit the
9 disclosure of that number by the band to any other person except to the department
10 of workforce development for the purpose of administering s. 49.22.

11 **SECTION 728h.** 29.229 (5m) (c) of the statutes is amended to read:

12 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
13 deny an application to issue or renew, suspend if already issued or otherwise
14 withhold or restrict an approval issued under this section if the applicant for or the
15 holder of the approval fails to provide the information required under tribal laws or
16 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
17 subpoena or warrant issued by the department of workforce development or a county
18 child support agency under s. 59.53 (5) and related to paternity or child support
19 proceedings or if the department of workforce development certifies that the
20 applicant for or the holder of the approval has failed to pay court-ordered payments
21 of child or family support, maintenance, birth expenses, medical expenses or other
22 expenses related to the support of a child or former spouse. The band is also
23 requested to enact tribal laws or ordinance that invalidate an approval issued under
24 this subsection if issued in reliance upon a statement made or subscribed under oath
25 or affirmation under tribal laws or ordinances enacted under par. (b) that is false.”.

609. Page 477, line 24: after that line insert:

“**SECTION 730h.** 29.324 (2m) of the statutes is created to read:

29.324 **(2m)** (a) In this subsection, “group deer bow hunting party” means 2 or more hunters hunting in a group all using bows and arrows, each of whom holds an individual license to hunt deer.

(b) Beginning on April 1, 2000, any member of a group deer bow hunting party may kill a deer for another member of the group deer bow hunting party if all of the following conditions exist:

1. The deer is an antlerless deer.

2. At the time and place of the kill, the person who kills the antlerless deer is in contact with the person for whom the antlerless deer is killed.

3. The person for whom the antlerless deer is killed possesses a current unused deer carcass tag that is authorized for use on the antlerless deer killed.

(c) This subsection does not apply after March 31, 2002.

SECTION 730j. 29.324 (3) of the statutes is amended to read:

29.324 **(3)** A person who kills a deer under sub. (2) or (2m) shall ensure that a member of his or her group deer hunting party without delay attaches a current validated deer carcass tag to the deer in the manner specified under s. 29.347 (2). The person who kills the deer may not leave the deer unattended until after it is tagged.”.

610. Page 481, line 10: after that line insert:

“**SECTION 760m.** 29.563 (3) (a) 7m. of the statutes is created to read:

29.563 **(3)** (a) 7m. One–day group fishing issued under s. 29.193 (5): \$24.25.”.

611. Page 484, line 10: delete lines 10 to 21.

1 **612.** Page 484, line 21: after that line insert:

2 “**SECTION 784g.** 29.867 (8g) of the statutes is created to read:

3 29.867 (**8g**) The department shall evaluate the impact of pheasant game farms
4 licensed under this section on the survival of wild hen pheasants in the vicinity of
5 pheasant game farms. The department shall submit the results of the evaluation,
6 along with recommendations to protect and enhance wild pheasant populations in
7 the vicinity of pheasant game farms, to the legislature under s. 13.172 (2) no later
8 than October 1, 2000.”.

9 **613.** Page 486, line 18: after that line insert:

10 “**SECTION 785dd.** 30.01 (1n) of the statutes is created to read:

11 30.01 (**1n**) “Drain” has the meaning given in s. 88.01 (8).

12 **SECTION 785de.** 30.01 (1nm) of the statutes is created to read:

13 30.01 (**1nm**) “Duck Creek Drainage District” means Outagamie Drainage
14 District No. 6 that is also known as the Duck Creek Drainage District and is located
15 in Outagamie County.

16 **SECTION 785dh.** 30.10 (2) of the statutes is amended to read:

17 30.10 (**2**) STREAMS. Except as provided under sub. (4) (c) and (d), all streams,
18 sloughs, bayous and marsh outlets, which are navigable in fact for any purpose
19 whatsoever, are declared navigable to the extent that no dam, bridge or other
20 obstruction shall be made in or over the same without the permission of the state.

21 **SECTION 785dm.** 30.10 (4) (d) of the statutes is created to read:

22 30.10 (**4**) (d) A drainage district drain located in the Duck Creek Drainage
23 District and operated by the board for that district is not navigable unless it is shown,
24 by means of a U.S. geological survey map or other similarly reliable scientific

1 evidence, that the drain was a navigable stream before it became a drainage district
2 drain.

3 **SECTION 785dp.** 30.12 (1) (intro.) of the statutes is amended to read:

4 30.12 **(1)** GENERAL PROHIBITION. (intro.) Except as provided under ~~sub.~~ subs.
5 (4) and (4m), unless a permit has been granted by the department pursuant to
6 statute or the legislature has otherwise authorized structures or deposits in
7 navigable waters, it is unlawful.”.

8 **614.** Page 487, line 4: after that line insert:

9 “**SECTION 792m.** 30.12 (4m) of the statutes is created to read:

10 30.12 **(4m)** DUCK CREEK DRAINAGE DISTRICT STRUCTURES AND DEPOSITS.
11 Subsection (1) does not apply to a structure or deposit that the drainage board for the
12 Duck Creek Drainage District places in a drain that the board operates in the Duck
13 Creek Drainage District if either of the following applies:

14 (a) The department of agriculture, trade and consumer protection, after
15 consulting with the department of natural resources, specifically approves the
16 structure or deposit.

17 (b) The structure or deposit is required, under rules promulgated by the
18 department of agriculture, trade and consumer protection, in order to conform the
19 drain to specifications approved by the department of agriculture, trade and
20 consumer protection after consulting with the department of natural resources.”.

21 **615.** Page 489, line 11: delete lines 11 to 13.

22 **616.** Page 489, line 13: after that line insert:

23 “**SECTION 802mg.** 30.20 (1) (b) of the statutes is amended to read:

1 30.20 **(1)** (b) Except as provided under ~~par.~~ pars. (c) and (d), no person may
2 remove any material from the bed of any lake or stream not mentioned under par.
3 (a) without first obtaining a permit from the department under sub. (2) (c).

4 **SECTION 802mr.** 30.20 (1) (d) of the statutes is created to read:

5 30.20 **(1)** (d) The drainage board for the Duck Creek Drainage District may
6 without a permit under sub. (2) (c) remove material from a drain that the board
7 operates in the Duck Creek Drainage District if the removal is required, under rules
8 promulgated by the department of agriculture, trade and consumer protection, in
9 order to conform the drain to specifications imposed by the department of
10 agriculture, trade and consumer protection after consulting with the department of
11 natural resources.”.

12 **617.** Page 489, line 21: after “interests in bluff land” insert “along the Great
13 Lakes”.

14 **618.** Page 496, line 13: delete lines 13 to 22.

15 **619.** Page 499, line 8: after that line insert:

16 **“SECTION 867xg.** 30.92 (4) (b) 8. am. of the statutes is created to read:

17 30.92 **(4)** (b) 8. am. A project that uses chemicals to remove Eurasian water
18 milfoil.

19 **SECTION 867xj.** 30.92 (4) (b) 11. of the statutes is created to read:

20 30.92 **(4)** (b) 11. Not more than \$75,000 in each fiscal year may be expended for
21 projects under subd. 8. am.”.

22 **620.** Page 499, line 9: after that line insert:

23 **“SECTION 867xp.** 31.02 (title) of the statutes is amended to read:

24 **31.02 (title) Powers and duties of department.**

1 **SECTION 867xr.** 31.02 (4) (c) of the statutes is amended to read:

2 31.02 **(4)** (c) With good and sufficient fishway ~~or fishways~~ or fish ladders, or in
3 lieu thereof the owner may be permitted to enter into an agreement with the
4 department to pay for or to supply to the state of Wisconsin annually such quantities
5 of game fish for stocking purposes as may be agreed upon by the owner and the
6 department.

7 **SECTION 867xs.** 31.02 (4g) of the statutes is created to read:

8 31.02 **(4g)** The department may not impose the requirement under sub. (4) (c)
9 on an owner of a dam unless all of the following apply:

10 1. The rules promulgated under sub. (4r) are in effect.

11 2. The federal government or the state implements a program to provide
12 cost-sharing grants to owners of dams for equipping dams with fishways or fish
13 ladders and a grant is available to the dam owner under the program.

14 **SECTION 867xt.** 31.02 (4r) of the statutes is created to read:

15 31.02 **(4r)** The department shall promulgate rules specifying the rights held
16 by the public in navigable waters that are dammed. The rules shall include
17 provisions on the rights held by public that affect the placement of fishways or fish
18 ladders in navigable waters that are dammed.”.

19 **621.** Page 499, line 9: after that line insert:

20 **“SECTION 867xo.** 31.02 (6) of the statutes is amended to read:

21 31.02 **(6)** ~~The department shall~~ Except as provided in sub. (7m), the
22 department may operate, repair and maintain the dams and ~~dykes~~ dikes constructed
23 across drainage ditches and streams in drainage districts, in the interest of drainage
24 control, water conservation, irrigation, conservation, pisciculture and to provide

1 areas suitable for the nesting and breeding of aquatic wild bird life and the
2 propagation of fur-bearing animals.

3 **SECTION 867xq.** 31.02 (7) of the statutes is amended to read:

4 31.02 (7) The department shall confer with the drainage commissioners in each
5 drainage district on the formation of policies for the operation and maintenance of
6 the dams; in districts having no commissioners, the department shall confer in like
7 manner with the committee appointed by the county board, if any, to represent either
8 such drainage district, or in the event that the drainage district is dissolved, to
9 represent the interests of the county in all matters whatsoever pertaining to water
10 conservation and control within the area which theretofore constituted such
11 drainage district. This subsection does not apply to the Duck Creek Drainage
12 District.

13 **SECTION 867xr.** 31.02 (7m) of the statutes is created to read:

14 31.02 (7m) The drainage board for the Duck Creek Drainage District shall
15 operate, repair and maintain dams, dikes and other structures in district drains that
16 the board operates in the Duck Creek Drainage District in compliance with ch. 88
17 and any rules promulgated by the department of agriculture, trade and consumer
18 protection under ch. 88. If a county drainage board fails to perform its duties under
19 this subsection, the department of natural resources may exercise its authority
20 under subs. (6), (8) and (9).”.

21 **622.** Page 502, line 14: after that line insert:

22 “**SECTION 877d.** 31.385 (4) of the statutes is created to read:

23 31.385 (4) (a) The department shall maintain an inventory of all dams in the
24 state that require dam safety project under this section. The inventory shall list the

1 dam safety projects in the chronological order in which they are required to be
2 undertaken. For each dam safety project on the inventory, the department shall
3 include a statement of which parts of the dam safety project are required to protect
4 the rights held by the public in the navigable waters contained by the dam.

5 (b) The department shall provide notice to the owner of a dam that is included
6 in the inventory. The department shall by rule establish a notice and hearing process
7 for a dam owner to object to the inclusion of the owner's dam on the list. The
8 department shall use this notice and hearing each time a dam is included in the
9 inventory. The process shall include a public hearing in the city, village or town in
10 which the dam is located, a public comment period, and an appeals process.”.

11 **623.** Page 502, line 14: after that line insert:

12 “**SECTION 877m.** 33.44 (1) (dm) of the statutes is created to read:

13 33.44 (1) (dm) One member who is a member of the Yahara Lakes Association.

14 **SECTION 877p.** 33.44 (3) of the statutes is amended to read:

15 33.44 (3) Five Six commissioners shall constitute a quorum for the transaction
16 of business.

17 **SECTION 877r.** 33.44 (7) of the statutes is amended to read:

18 33.44 (7) The board of commissioners shall meet at least quarterly, and at other
19 times on the call of the chairperson or on the petition of 5 6 of the members.”.

20 **624.** Page 502, line 14: after that line insert:

21 “**SECTION 884a.** 34.01 (2) (a) of the statutes is amended to read:

22 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
23 designated public depository in accordance with this chapter, resulting from the
24 failure of any public depository to repay to any public depositor the full amount of

1 its deposit because the office of credit unions, administrator of federal credit unions,
2 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
3 supervision, federal deposit insurance corporation, resolution trust corporation,
4 division of banking or division of savings and loan institutions has taken possession
5 of the public depository or because the public depository has, with the consent and
6 approval of the office of credit unions, administrator of federal credit unions, U.S.
7 office of thrift supervision, federal deposit insurance corporation, resolution trust
8 corporation, division of banking or division of savings and loan institutions, adopted
9 a stabilization and readjustment plan or has sold a part or all of its assets to another
10 credit union, bank, savings bank or savings and loan association which has agreed
11 to pay a part or all of the deposit liability on a deferred payment basis or because the
12 depository is prevented from paying out old deposits because of rules of the office of
13 credit unions, administrator of federal credit unions, U.S. comptroller of the
14 currency, federal home loan bank board, U.S. office of thrift supervision, federal
15 deposit insurance corporation, resolution trust corporation, division of banking or
16 division of savings and loan institutions.

17 **SECTION 885a.** 34.10 of the statutes is amended to read:

18 **34.10 Reorganization and stabilization of financial institutions.**

19 Whenever the office of credit unions, administrator of federal credit unions, U.S.
20 comptroller of the currency, federal home loan bank board, U.S. office of thrift
21 supervision, federal deposit insurance corporation, resolution trust corporation,
22 division of banking or division of savings and loan institutions has taken charge of
23 a credit union, bank, savings bank or savings and loan association with a view of
24 restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting
25 the structure of any national or state credit union, bank, savings bank or savings and

1 loan association located in this state, and has approved a reorganization plan or a
2 stabilization and readjustment agreement entered into between the credit union,
3 bank, savings bank or savings and loan association and depositors and unsecured
4 creditors, or when a credit union, bank, savings bank or savings and loan association,
5 with the approval of the office of credit unions, administrator of federal credit unions,
6 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
7 supervision, federal deposit insurance corporation, resolution trust corporation,
8 division of banking or division of savings and loan institutions proposes to sell its
9 assets to another credit union, bank, savings bank or savings and loan association
10 which agrees to assume a part or all of the deposit liability of such selling credit
11 union, bank, savings bank or savings and loan association and to pay the same on
12 a deferred payment basis, the governing board of the public depositor may, on the
13 approval of the division of banking, join in the execution of any reorganization plan,
14 or any stabilization and readjustment agreement, or any depositor's agreement
15 relative to a proposed sale of assets if, in its judgment and that of the division of
16 banking, the reorganization plan or stabilization and readjustment agreement or
17 proposed sale of assets is in the best interest of all persons concerned. The joining
18 in any reorganization plan, or any stabilization and readjustment agreement, or any
19 proposed sale of assets which meets the approval of the division of banking does not
20 waive any rights under this chapter.”.

21 **625.** Page 503, line 1: delete “The board shall operate the” and substitute “(a)
22 The board, in consultation with representatives of the aquaculture industry, shall
23 operate the”.

24 **626.** Page 503, line 3: after that line insert:

1 “(b) The board shall ensure that the aquaculture demonstration facility
2 provides applied research and training to aquaculturists, including Native
3 American aquaculturists, and to personnel at state fish hatcheries and that the
4 research and training emphasize all of the following areas related to aquaculture:

5 1. Environmental impact.

6 2. Water quality.

7 3. Appropriate water use.

8 4. Fish health science.

9 5. Innovative aquaculture methods and practices.

10 6. Demonstration, education and outreach activities through the extension.”.

11 **627.** Page 503, line 3: after that line insert:

12 “**SECTION 887d.** 36.11 (36m) of the statutes is created to read:

13 36.11 **(36m)** SCHOOL SAFETY RESEARCH. The board shall direct the schools of
14 education and other appropriate research-oriented departments within the system,
15 to work with the technical college system board under s. 38.04 (27), school districts,
16 private schools and the department of public instruction to present to school districts
17 and private schools the results of research on models for and approaches to
18 improving school safety and reducing discipline problems in schools and at school
19 activities.”.

20 **628.** Page 503, line 14: after that line insert:

21 “**SECTION 887t.** 36.11 (40) of the statutes is created to read:

22 36.11 **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for
23 cooperatives at the University of Wisconsin–Madison.”.

24 **629.** Page 503, line 14: after that line insert:

1 **“SECTION 887s.** 36.11 (39) of the statutes is created to read:

2 36.11 **(39)** GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES . The
3 board shall establish the Gaylord Nelson chair of integrated environmental studies
4 and seek private funding for this chair.”.

5 **630.** Page 503, line 15: delete the material beginning with that line and
6 ending with page 506, line 4.

7 **631.** Page 507, line 3: after that line insert:

8 **“SECTION 892v.** 36.25 (44) of the statutes is created to read:

9 36.25 **(44)** INTERNATIONAL BUSINESS DEVELOPMENT. The University of
10 Wisconsin–Milwaukee shall collaborate with other institutions to develop and
11 implement programs and training for Wisconsin businesses and University of
12 Wisconsin System faculty in the area of international business development.”.

13 **632.** Page 507, line 3: after that line insert:

14 **“SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

15 36.25 **(30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall
16 establish in the extension, ~~in cooperation with the recycling market development~~
17 ~~board,~~ a program of education and technical assistance related to recycling market
18 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~
19 solid waste scrap brokers, dealers and processors; business entities that use or could
20 use recovered materials or that produce or could produce products from recovered
21 materials and persons who provide support services to those business entities; and
22 the general public.”.

23 **633.** Page 507, line 3: after that line insert:

24 **“SECTION 891m.** 36.27 (1) (a) of the statutes is amended to read:

1 36.27 (1) (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for
2 different classes of students differing tuition and fees incidental to enrollment in
3 educational programs or use of facilities in the system. Except as otherwise provided
4 in this section, the board may charge any student who is not exempted by this section
5 a nonresident tuition. The board may establish special rates of tuition and fees for
6 the extension and summer sessions and such other studies or courses of instruction
7 as the board deems advisable.

8 **SECTION 891r.** 36.27 (1) (am) of the statutes is created to read:

9 36.27 (1) (am) The board may not increase academic fees for resident
10 undergraduate students beyond an amount sufficient to fund all of the following:

11 1. In a fiscal year beginning in an even-numbered year, the amount shown in
12 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning
13 in an odd-numbered year, the highest amount shown in the schedule under s. 20.285
14 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
15 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
16 or the enrolled biennial budget bill.

17 2. The approved recommendations of the secretary of employment relations for
18 compensation and fringe benefits for classified staff, for unclassified employees
19 specified in s. 230.12 (1) (a) 1. b. and for unclassified employees specified in s. 230.12
20 (3) (e). If these recommendations have not been approved by the joint committee on
21 employment relations by the time the board sets academic fees, the board may raise
22 academic fees for resident undergraduate students by an amount sufficient to fund
23 the recommendations of the secretary of employment relations for compensation and
24 fringe benefits for classified staff and for unclassified employees specified in s. 230.12
25 (1) (a) 1. b. and the board's recommendations for unclassified employees specified in

1 s. 230.12 (3) (e). If the secretary of employment relations has not made
2 recommendations by the time the board sets academic fees, the board may raise
3 academic fees for resident undergraduate students by an amount sufficient to fund
4 the board's estimate of compensation and fringe benefits for classified staff and for
5 unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board's
6 recommendations for unclassified employees specified in s. 230.12 (3) (e). If the board
7 sets academic fees based upon the board's estimate and the board's unapproved
8 recommendations, and the recommendations of the board and the secretary of
9 employment relations as finally approved by the joint committee on employment
10 relations call for a lower rate of compensation and fringe benefits than the board's
11 estimate and unapproved recommendations, the board shall lower academic student
12 fees for resident undergraduate students for the next academic year by an amount
13 equal to the difference between the academic fees charged and an amount sufficient
14 to fund the approved recommendations. If the board sets academic fees based upon
15 the board's estimate and unapproved recommendations, and the recommendations
16 of the board and the secretary of employment relations as finally approved by the
17 joint committee on employment relations call for a higher rate of compensation and
18 fringe benefits than the board's estimate and unapproved recommendations, the
19 board may raise academic student fees for resident undergraduate students for the
20 next academic year by an amount equal to the difference between the academic fees
21 charged and an amount sufficient to fund the approved recommendations.

22 3. The projected loss in revenue caused by a change in the number of enrolled
23 undergraduate, graduate, resident and nonresident students from the previous
24 academic year.

1 4. State-imposed costs not covered by general purpose revenue, as determined
2 by the board. Beginning on December 15, 2000, and annually thereafter, the board
3 shall report costs under this subdivision to the secretary of administration.

4 5. Distance education, nontraditional courses and intersession courses.

5 6. Differential tuition that is approved by the board and that is not included
6 in the amount shown in the schedule under s. 20.285 (1) (im).

7 **SECTION 891s.** 36.27 (1) (b) of the statutes is created to read:

8 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
9 board shall submit a report to the legislature under s. 13.172 (2) containing the
10 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
11 exceeded the amount shown in the schedule for that appropriation in the previous
12 fiscal year, the purposes for which the additional revenues were spent and the
13 amount spent for each purpose.”.

14 **634.** Page 507, line 3: after that line insert:

15 “**SECTION 892m.** 36.25 (45) of the statutes is created to read:

16 36.25 (45) STRAY VOLTAGE RESEARCH. The board shall establish a stray voltage
17 research program to conduct research on all of the following in the order of priority
18 listed in pars. (a) to (e):

19 (a) Stray voltage problems on farms. The College of Agricultural and Life
20 Sciences of the University of Wisconsin–Madison shall conduct on-site research
21 under this paragraph.

22 (b) The nature of animal responses to stray voltage.

23 (c) Farms with potentially unique stray voltage problems.

1 (d) Field and economic performance analysis of electrical mitigation devices
2 and systems.

3 (e) Research recommended in the Minnesota Science Advisors' Report to the
4 Minnesota Public Utilities Commission.”.

5 **635.** Page 507, line 21: after that line insert:

6 “**SECTION 894m.** 36.34 (1) (c) of the statutes is created to read:

7 36.34 (1) (c) 1. In this paragraph:

8 a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
9 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
10 s. 20.005 for that appropriation for fiscal year 1999–2000.

11 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
12 each fiscal year after fiscal year 2000–01, “base amount” means the appropriation
13 determined under subd. 2. for the previous fiscal year.

14 2. Annually, by February 1, the board shall determine the appropriation under
15 s. 20.285 (4) (dd) for the next fiscal year as follows:

16 a. The board shall determine the percentage by which the resident
17 undergraduate academic fees charged for the current academic year at each
18 institution within the University of Wisconsin System has increased or decreased
19 from the resident undergraduate academic fees charged for the previous academic
20 year.

21 b. The appropriation for the next fiscal year shall be the result obtained by
22 increasing, to the nearest \$100, the base amount by the highest percentage increase
23 determined under subd. 2. a., except that if the resident undergraduate academic
24 fees for the current academic year decreased or did not change from the resident

1 undergraduate academic fees charged for the previous academic year at each
2 institution specified in subd. 2. a., the appropriation shall be the base amount.”.

3 **636.** Page 508, line 8: after that line insert:

4 “**SECTION 895s.** 36.55 of the statutes is created to read:

5 **36.55 Reporting employment harassment and discrimination claims.**

6 By September 1 of each even-numbered year, the president shall submit a report to
7 the chief clerk of each house for distribution to the legislature under s. 13.172 (2) that
8 contains a description of each employment harassment or discrimination claim filed
9 against the board or an employee of the board and resolved in favor of the claimant,
10 the amount of any settlement paid to or judgment entered for the claimant and a
11 description of any discipline of board employees resulting from the resolution of the
12 claim.”.

13 **637.** Page 508, line 8: after that line insert:

14 “**SECTION 895s.** 36.56 of the statutes is created to read:

15 **36.56 Grants for forestry cooperatives. (1)** From the appropriation under
16 s. 20.285 (1) (qm), the center for cooperatives under s. 36.11 (40) may award grants
17 to persons to form forestry cooperatives under ch. 185 that consist primarily of
18 private, nonindustrial owners of woodland. A grant recipient shall provide matching
19 funds equal to 50% of the grant amount awarded. The match may be in the form of
20 money or in-kind services or both, but may not include money received from the
21 state.

22 **(2)** In each fiscal year, the center for cooperatives may not encumber funds from
23 the appropriation under s. 20.285 (1) (qm) for administrative expenses if the

1 amounts encumbered in that fiscal year for administrative expenses exceed 5% of the
2 total expenditures from the appropriation for the fiscal year.”.

3 **638.** Page 508, line 21: delete the material beginning with “the direct” and
4 ending with “center” on line 22 and substitute “the direct operating costs of services
5 provided at the center and at least 20% of the indirect operating costs of services
6 provided at the center, pursuant to a contract under s. 38.14 (3) (a)”.

7 **639.** Page 508, line 23: after that line insert:

8 “d. The district board consulted with representatives of business and labor on
9 the development of the center.”.

10 **640.** Page 509, line 6: after that line insert:

11 “**SECTION 896m.** 38.04 (27) of the statutes is created to read:

12 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and
13 other departments of the University of Wisconsin System under s. 36.11 (36m),
14 school districts, private schools and the department of public instruction to present
15 to school districts and private schools the results of research on models for and
16 approaches to improving school safety and reducing discipline problems in schools
17 and at school activities.”.

18 **641.** Page 509, line 7: delete the material beginning with that line and ending
19 with page 511, line 6.

20 **642.** Page 512, line 3: after that line insert:

21 “**SECTION 897s.** 38.18 of the statutes is amended to read:

22 **38.18 Contracts and bidding.** All contracts made by a district board for
23 public construction in a district, ~~the estimated cost of which exceeds \$10,000,~~ shall
24 be let by the district board to the lowest responsible bidder in accordance with s.

62.15 (1) to (11) and (14). For purposes of this section, the district board shall possess the powers conferred by s. 62.15 on the board of public works and the common council. All contracts made under this section shall be made in the name of the district and shall be executed by the district board chairperson and district board secretary.”.

643. Page 512, line 11: after “ss.” insert “16.004 (14).”.

644. Page 512, line 12: after “38.27,” insert “38.30, 38.31.”.

645. Page 513, line 3: after that line insert:

“**SECTION 901g.** 38.30 of the statutes is created to read:

38.30 Grants to students. (1) Beginning in the 2000–01 school year, the board shall award a grant of \$500 to each first–year student who satisfies all of the following criteria:

(a) The student enrolled in a district college within 3 years of graduating from a high school in this state.

(b) The student is enrolled full time, as determined by the board, in an associate degree program or a vocational diploma program.

(c) The student maintains a grade point average of at least 2.0.

(2) A student who received a grant under sub. (1) is eligible for an equivalent grant in the following school year if he or she satisfies the criteria under sub. (1) (b) and (c).

(3) Grants under this section shall be awarded from the appropriation under s. 20.292 (1) (ep).

(4) The board shall promulgate rules to implement and administer this section, including rules on refunding a grant if a student becomes ineligible for the grant.

1 **SECTION 901r.** 38.31 of the statutes is created to read:

2 **38.31 Grants for additional courses.** From the appropriation under s.
3 20.292 (1) (er), the board shall award grants to district boards for the purpose of
4 adding sections in courses in which student demand exceeds capacity. The board
5 shall promulgate rules establishing criteria for judging grant applications.”.

6 **646.** Page 513, line 20: delete the material beginning with that line and
7 ending with page 516, line 5.

8 **647.** Page 518, line 12: after that line insert:

9 “**SECTION 912h.** 39.41 (1) (bm) of the statutes is amended to read:

10 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or
11 private high school, the Wisconsin school School for the deaf and Deaf or the
12 ~~Wisconsin school for the visually handicapped~~ school operated by the Wisconsin
13 Center for the Blind and Visually Impaired.

14 **SECTION 912g.** 39.41 (1m) (c) 1. of the statutes is amended to read:

15 39.41 (1m) (c) 1. For the ~~Wisconsin school for the visually handicapped~~ school
16 operated by the Wisconsin Center for the Blind and Visually Impaired, designate the
17 senior with the highest grade point average in all subjects as a scholar.”.

18 **648.** Page 520, line 9: after that line insert:

19 “**SECTION 913mv.** 39.41 (1m) (f) of the statutes is amended to read:

20 39.41 (1m) (f) If 2 or more seniors from the ~~Wisconsin school for the visually~~
21 ~~handicapped~~ school operated by the Wisconsin Center for the Blind and Visually
22 Impaired have the same grade point average and, except for the limitation of one
23 designated senior, are otherwise eligible for designation under par. (c) 1., the
24 executive secretary shall make the designation under par. (c) 1. of the senior who may

1 be eligible for a higher education scholarship as a scholar and, if that senior does not
2 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate
3 one or more of the remaining seniors with the same grade point average as eligible
4 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the
5 scholarship may be awarded by the board.”.

6 **649.** Page 521, line 7: after that line insert:

7 “**SECTION 918g.** 39.435 (7) of the statutes is created to read:

8 39.435 (7) (a) In this subsection:

9 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
10 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
11 s. 20.005 for that appropriation for fiscal year 1999–2000.

12 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
13 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
14 appropriation amount determined under par. (b) for the previous fiscal year.

15 (b) Annually, by February 1, the board shall determine the appropriation under
16 s. 20.235 (1) (fe) for the next fiscal year as follows:

17 1. The board shall determine the percentage by which the resident
18 undergraduate academic fees charged for the current academic year at each
19 institution within the University of Wisconsin System has increased or decreased
20 from the resident undergraduate academic fees charged for the previous academic
21 year.

22 2. The appropriation for the next fiscal year shall be the result obtained by
23 increasing, to the nearest \$100, the base amount by the highest percentage increase
24 determined under subd. 1., except that if the resident undergraduate academic fees

1 for the current academic year decreased or did not change from the resident
2 undergraduate academic fees charged for the previous academic year at each
3 institution specified in subd. 1., the appropriation shall be the base amount.

4 **SECTION 918r.** 39.435 (8) of the statutes is created to read:

5 39.435 (8) (a) In this subsection:

6 1. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
7 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
8 s. 20.005 for that appropriation for fiscal year 1999–2000.

9 2. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
10 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
11 appropriation amount determined under par. (b) for the previous fiscal year.

12 (b) Annually, by February 1, the board shall determine the appropriation under
13 s. 20.235 (1) (fd) for the next fiscal year as follows:

14 1. The board shall determine the percentage by which the resident
15 undergraduate academic fees charged for the current academic year at each
16 institution within the University of Wisconsin System has increased or decreased
17 from the resident undergraduate academic fees charged for the previous academic
18 year.

19 2. The appropriation for the next fiscal year shall be the result obtained by
20 increasing, to the nearest \$100, the base amount by the highest percentage increase
21 determined under subd. 1., except that if the resident undergraduate academic fees
22 for the current academic year decreased or did not change from the resident
23 undergraduate academic fees charged for the previous academic year at each
24 institution specified in subd. 1., the appropriation shall be the base amount.”.

1 **650.** Page 523, line 1: delete the material beginning with that line and ending
2 with page 532, line 2.

3 **651.** Page 532, line 11: after that line insert:

4 “**SECTION 930vc.** 40.02 (25) (b) 1. of the statutes is amended to read:

5 40.02 **(25)** (b) 1. Any teacher who is employed by the university for an expected
6 duration of not less than 6 months on at least a one-third full-time employment
7 basis and who is not described in subd. 1m.;

8 **SECTION 930vq.** 40.02 (25) (b) 1m. of the statutes is created to read:

9 40.02 **(25)** (b) 1m. Any teacher who is a participating employee and who is
10 employed by the university for an expected duration of not less than 6 months on at
11 least a one-third full-time employment basis;”.

12 **652.** Page 532, line 11: after that line insert:

13 “**SECTION 930wb.** 40.02 (26) (intro.) of the statutes is amended to read:

14 40.02 **(26)** (intro.) “Employee” means any person who receives earnings as
15 payment for personal services rendered for the benefit of any employer including
16 officers of the employer, except as provided in subch. X. An employee is deemed to
17 have separated from the service of an employer at the end of the day on which the
18 employe last performed services for the employer, or, if later, the day on which the
19 employe-employer relationship is terminated because of the expiration or
20 termination of leave without pay, sick leave, vacation or other leave of absence. A
21 person shall not be considered an employee if a person:

22 **SECTION 930wm.** 40.02 (26) (intro.) of the statutes, as affected by 1999
23 Wisconsin Act (this act), section 930wb, is amended to read:

1 40.02 **(26)** (intro.) “Employee” means any person who receives earnings as
2 payment for personal services rendered for the benefit of any employer including
3 officers of the employer, ~~except as provided in subch. X.~~ An employee is deemed to
4 have separated from the service of an employer at the end of the day on which the
5 employee last performed services for the employer, or, if later, the day on which the
6 employee–employer relationship is terminated because of the expiration or
7 termination of leave without pay, sick leave, vacation or other leave of absence. A
8 person shall not be considered an employee if a person:”.

9 **653.** Page 532, line 12: delete lines 12 to 20 and substitute:

10 “**SECTION 931b.** 40.02 (28) of the statutes is amended to read:

11 40.02 **(28)** “Employer” means the state, including each state agency, any
12 county, city, village, town, school district, other governmental unit or
13 instrumentality of 2 or more units of government now existing or hereafter created
14 within the state and any federated public library system established under s. 43.19
15 whose territory lies within a single county with a population of 500,000 or more, a
16 local exposition district created under subch. II of ch. 229 and a family care district
17 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3), ~~or a~~
18 ~~local exposition district created under subch. II of ch. 229 and subch. X.~~ Each
19 employer shall be a separate legal jurisdiction for OASDHI purposes.

20 **SECTION 931c.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act
21 (this act), section 931b, is amended to read:

22 40.02 **(28)** “Employer” means the state, including each state agency, any
23 county, city, village, town, school district, other governmental unit or
24 instrumentality of 2 or more units of government now existing or hereafter created

1 within the state and any federated public library system established under s. 43.19
2 whose territory lies within a single county with a population of 500,000 or more, a
3 local exposition district created under subch. II of ch. 229 and a family care district
4 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) and
5 subch. X. Each employer shall be a separate legal jurisdiction for OASDHI
6 purposes.”.

7 **654.** Page 533, line 23: after that line insert:

8 “SECTION 936t. 40.03 (2) (g) of the statutes is amended to read:

9 40.03 (2) (g) Shall submit once each year to each participant currently making
10 contributions, and to any other participant upon request or as in the secretary’s
11 judgment is desirable, a statement of the participant’s account together with
12 appropriate explanatory material. The secretary shall ensure that the participant’s
13 social security number does not appear on the statement.”.

14 **655.** Page 533, line 24: delete the material beginning with that line and
15 ending with page 534, line 25.

16 **656.** Page 535, line 6: after that line insert:

17 “SECTION 940c. 40.05 (4) (a) 2. of the statutes is amended to read:

18 40.05 (4) (a) 2. For an insured employe who is an eligible employe under s. 40.02
19 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions
20 toward the health insurance premium of the insured employe beginning on the date
21 on which the employe becomes insured. For an insured employe who is currently
22 employed but who is not an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or
23 2m., the employer shall pay required employer contributions toward the health
24 insurance premium of the insured employe beginning on the first day of the 7th

1 month beginning after the date on which the employee begins employment with the
2 state, not including any leave of absence.”.

3 **657.** Page 535, line 6: after that line insert:

4 “**SECTION 940d.** 40.05 (4) (ag) 2. of the statutes is amended to read:

5 40.05 **(4)** (ag) 2. For eligible employees not specified in subd. 1., 90% of the gross
6 premium for the standard health insurance plan offered to state employees by the
7 group insurance board or 105% of the gross premium, excluding any premium cost
8 related to the point-of-service option plan required to be offered under s. 609.10, of
9 the alternative qualifying plan offered under s. 40.03 (6) that is the least costly
10 qualifying plan within the county in which the alternate plan is located, whichever
11 is lower, but not more than the total amount of the premium. Employer contributions
12 for employees who select the standard plan shall be based on their county of residence.
13 Qualifying health insurance plans shall be determined in accordance with standards
14 established by the group insurance board.”.

15 **658.** Page 535, line 7: delete the material beginning with that line and ending
16 with page 536, line 3.

17 **659.** Page 535, line 20: after that line insert:

18 “**SECTION 939tc.** 40.41 (6) (b) of the statutes is amended to read:

19 40.41 **(6)** (b) Services performed by ~~a student or~~ a member of a board or
20 commission, except members of governing bodies, in a position or office which does
21 not normally require actual performance of duty for at least 600 hours in each
22 calendar year. For purposes of this paragraph, a “board” or “commission” is a body
23 referred to in the statutes as a board or commission.

24 **SECTION 939tr.** 40.41 (6) (c) of the statutes is created to read:

1 40.41 **(6)** (c) Service performed in the employ of a school, college or university,
2 if the service is performed by a student who is enrolled and regularly attending
3 classes at the school, college or university.”.

4 **660.** Page 536, line 12: after that line insert:

5 “**SECTION 944w.** 40.82 (3) of the statutes is created to read:

6 40.82 **(3)** The deferred compensation board shall ensure that any statement
7 sent to employees who participate in a deferred compensation plan established under
8 this subchapter does not contain the social security number of the employee.”.

9 **661.** Page 536, line 12: after that line insert:

10 “**SECTION 944wr.** 41.11 (4m) of the statutes is created to read:

11 41.11 **(4m)** ACCESS TO CUSTOMER INFORMATION; FEES. (a) Notwithstanding s.
12 19.35, the department may refuse to reveal names, addresses and related
13 demographic information maintained on any list that the department has compiled
14 of persons who have requested information about travel opportunities in the state.
15 The department may not refuse to reveal such information to representatives of the
16 news media.

17 (b) Notwithstandings. 19.71, if the department provides information from a list
18 of persons requesting travel information, the department may charge the person
19 requesting the information a fee to recover the department’s actual costs of compiling
20 and providing the information. The department may reduce or waive the fee under
21 this subsection if the department determines that the reduction or waiver is in the
22 public interest.”.

23 **662.** Page 536, line 13: before that line insert:

1 **“SECTION 944ym.** Subchapter X of chapter 40 [precedes 40.98] of the statutes
2 is created to read:

3 **CHAPTER 40**

4 SUBCHAPTER X

5 PRIVATE EMPLOYER HEALTH

6 CARE COVERAGE

7 **40.98 Health care coverage. (1)** In this subchapter:

8 (ag) “Abortion” means the use of an instrument, medicine, drug or other
9 substance or device with intent to terminate the pregnancy of a woman known to be
10 pregnant or for whom there is reason to believe that she may be pregnant and with
11 intent other than to increase the probability of a live birth, to preserve the life or
12 health of the infant after live birth or to remove a dead fetus.

13 (ar) “Board” means the private employer health care coverage board.

14 (b) “Dependent” means a spouse, an unmarried child under the age of 19 years,
15 an unmarried child who is a full-time student under the age of 21 years and who is
16 financially dependent upon the parent, or an unmarried child of any age who is
17 medically certified as disabled and who is dependent upon the parent.

18 (c) “Employee” means any person who receives earnings as payment for personal
19 services rendered for the benefit of any employer including officers of the employer.
20 An employee is considered to have separated from the service of an employer at the
21 end of the day on which the employee last performed services for the employer, or, if
22 later, the day on which the employee–employer relationship is terminated because of
23 the expiration or termination of leave without pay, sick leave, vacation or other leave
24 of absence. A person shall not be considered an employee if any of the following
25 applies:

1 1. The person is employed under a contract involving the furnishing of more
2 than personal services.

3 2. The person is customarily engaged in an independently established trade,
4 business or profession providing the same type of services to more than one employer
5 and the person's services to an employer are not compensated for on a payroll of that
6 employer.

7 3. The person is a patient or inmate of a hospital, home or institution and
8 performs services in the hospital, home or institution.

9 (d) "Employer" means any person doing business or operating an organization
10 in this state and employing at least 2 employes, except that for a person operating
11 a farm business the person must employ at least one employee. "Employer" does not
12 include an employer as defined in s. 40.02 (28).

13 (e) "Health care coverage program" means the health care coverage program
14 established under sub. (2) (a).

15 (f) "Insurer" has the meaning given in s. 600.03 (27).

16 (g) "Nontherapeutic abortion" means an abortion that is not directly and
17 medically necessary to prevent the death of the woman.

18 **(2)** (a) 1. The department shall design an actuarially sound health care
19 coverage program for employers that includes more than one group health care
20 coverage plan and that provides coverage beginning not later than January 1, 2001.
21 The health care coverage program shall be known as the "Private Employer Health
22 Care Purchasing Alliance". In designing the health care coverage program, the
23 department shall consult with the office of the commissioner of insurance and may
24 consult with the departments of commerce and health and family services. The

1 health care coverage program may not be implemented until it is approved by the
2 board.

3 2. The department shall solicit and accept bids and make every reasonable
4 effort to enter into a contract for the administration of the health care coverage plans
5 under the program, based on criteria established by the board. If the department has
6 not entered into a contract for the administration of the health care coverage plans
7 under the program for coverage to begin before January 1, 2001, the department
8 shall submit a report to the cochairpersons of the joint committee on finance
9 specifying the department's reasons for not entering into a contract. After
10 submitting the report to the cochairpersons of the joint committee on finance, the
11 department shall provide all administrative services necessary for the provision of
12 the health care coverage plans under the program. During the period that the
13 department is providing the administrative services, the department shall continue
14 to make every reasonable effort to contract for the administration of the health care
15 coverage plans under the program.

16 3. The administrator selected under subd. 2., or the department if no
17 administrator has been selected under subd. 2., shall enter into contracts with
18 insurers who are to provide health care coverage under the health care coverage
19 program.

20 4. The department shall solicit and accept bids and shall enter into a contract
21 for marketing the health care coverage program.

22 5. The department shall maintain a toll-free telephone number to provide
23 information on the health care coverage program.

24 (b) Every health care coverage plan under the health care coverage program
25 is subject to the provisions of chs. 600 to 646 that apply to group health benefit plans,

1 as defined in s. 632.745 (9), to the same extent as any other group health benefit plan,
2 as defined in s. 632.745 (9).

3 (bm) No health care coverage plan under the health care coverage program may
4 provide coverage of a nontherapeutic abortion except by an optional rider or
5 supplemental coverage provision that is offered and provided on an individual basis
6 and for which an additional, separate premium or charge is paid by the individual
7 to be covered under the rider or supplemental coverage provision. Only funds
8 attributable to premiums or charges paid for coverage under the rider or
9 supplemental coverage provision may be used for the payment of any claim, and
10 related administrative expenses, that relates to a nontherapeutic abortion. Such
11 funds may not be used for the payment of any claim or administrative expenses that
12 relate to any other type of coverage provided by the insurer under the health care
13 coverage plan. Nothing in this paragraph requires an insurer or an employer to offer
14 or provide coverage of an abortion under a health care coverage plan under the health
15 care coverage program.

16 (c) The health care coverage program established under par. (a), or any health
17 care coverage plan included in the program, may not be combined with any health
18 care coverage plan under subch. IV.

19 (d) All insurance rates for health care coverage under the program shall be
20 published annually in a single publication that is made available to employers and
21 employees. The rates may be listed by county or by any other regional factor that the
22 board considers appropriate.

23 (e) All plans under the health care coverage program shall have an enrollment
24 period that is established by the board.

1 (f) 1. If the department has selected an administrator under par. (a) 2., the
2 administrator shall charge employers who participate in the health care coverage
3 program a fee to cover the cost of administrative services for the health care coverage
4 program. The administrator shall reimburse the department for the expenses
5 incurred by the department in designing, marketing and contracting for
6 administrative services for the program. All moneys received by the department
7 under this subdivision shall be credited to the appropriation account under s. 20.515
8 (2) (g).

9 2. If the department has not selected an administrator under par. (a) 2., the
10 department shall charge employers who participate in the health care coverage
11 program a fee to cover the costs incurred by the department in designing, marketing
12 and providing administrative services for the health care coverage program. All
13 moneys received by the department under this subdivision shall be credited to the
14 appropriation account under s. 20.515 (2) (g).

15 (g) The department may not sell any health care coverage under the health care
16 coverage program to an employer or enroll any employee in the health care coverage
17 program, but the department shall make information about the program available
18 to employers on a statewide basis.

19 **(3)** Any employer who participates in the health care coverage program shall
20 do all of the following:

21 (a) Offer health care coverage under one or more plans to all of its permanent
22 employees who have a normal work week of 30 or more hours and may offer health
23 care coverage under one or more plans to any of its other employees.

24 (b) Provide health care coverage under one or more plans to at least 50% of its
25 permanent employees who have a normal work week of 30 or more hours and who do

1 not otherwise receive health care coverage as a dependent under any other plan that
2 is not offered by the employer or a percentage of such employees specified by the board,
3 whichever percentage is greater.

4 (c) Pay for each employee at least 50% but not more than 100% of the lowest
5 premium rate that would be available to the employer for that employee's coverage
6 under the health care coverage program.

7 (d) Make premium payments for the health care coverage of its employees in the
8 manner specified by the board.

9 **(4)** Any employer that provides health care coverage for its employees under the
10 program and that voluntarily terminates coverage under the program is not eligible
11 to participate in the program for at least 3 years from the date that coverage is
12 terminated.

13 **(5)** Any insurer that offers a health care coverage plan under the health care
14 coverage program shall provide coverage under the plan to any employer that applies
15 for coverage, and to all of the employer's employees who elect coverage under the
16 health care coverage plan, without regard to the health condition or claims
17 experience of any individual who would be covered under the health care coverage
18 plan if all of the following apply:

19 (a) The employer agrees to pay the premium required for coverage under the
20 health care coverage plan.

21 (b) The employer agrees to comply with all provisions of the health care
22 coverage plan that apply generally to a policyholder or an insured without regard to
23 health condition or claims experience.

24 **(6)** (a) Health care coverage under the health care coverage program may only
25 be sold by insurance agents licensed under ch. 628.

1 (b) An insurance agent may not sell any health care coverage under the health
2 care coverage program on behalf of an insurer unless he or she is employed by the
3 insurer or has a contract with the insurer to sell the health care coverage on behalf
4 of the insurer.

5 (c) The board shall set, and may adjust as often as semiannually, the
6 commission rate for the sale of a policy under the health care coverage program. The
7 rate shall be based on the average commission rate that insurance agents are paid
8 in the state for the sale of comparable health insurance policies at the time that the
9 rate is set or adjusted.

10 (d) An insurer shall specify on the first page of any policy sold under the health
11 care coverage program the amount of the commission paid to the insurance agent.

12 **(7)** (a) Annually, on or before December 31, the board shall submit a report to
13 the appropriate standing committees under s. 13.172 (3) and to the governor on the
14 operation of the health care coverage program. The report shall specify the number
15 of employers and employees participating in the health care coverage program,
16 calculate the costs of the health care coverage program to employers and their
17 employees and include recommendations for improving the health care coverage
18 program.

19 (b) No later than January 1, 2008, the board shall submit a report to the
20 appropriate standing committees under s. 13.172 (3) and to the governor that offers
21 recommendations as to whether the department should continue to be involved in
22 the design, marketing and contracting for administrative services for the health care
23 coverage program. If the board recommends that the department not be involved in
24 the performance of these functions, the board shall submit proposed legislation
25 eliminating the department's involvement in the performance of these functions to

1 the appropriate standing committees under s. 13.172 (3) at the time that the board
2 submits its report.

3 **SECTION 944yr.** Subchapter X of chapter 40 [precedes 40.98] of the statutes, as
4 created by 1999 Wisconsin Act (this act), section 944ym, is repealed.”.

5 **663.** Page 537, line 19: after that line insert:

6 “**SECTION 945dm.** 42.035 of the statutes is created to read:

7 **42.035 Treatment of certain state fair park board employees.**

8 Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the
9 classified service at the state fair park board on the effective date of this section
10 [revisor inserts date], who have achieved permanent status in class before that date,
11 shall retain, while serving in the unclassified service at the state fair park board,
12 those protections afforded employees in the classified service under ss. 230.34 (1) (a)
13 and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in
14 base pay. Those employees of the state fair park board on the effective date of this
15 section [revisor inserts date], who have not achieved permanent status in class
16 in any position at the state fair park board on that date are eligible to receive the
17 protections, privileges and rights preserved under this section if they successfully
18 complete service equivalent to the probationary period required in the classified
19 service for the position that they hold on that date.”.

20 **664.** Page 537, line 19: after that line insert:

21 “**SECTION 945de.** 43.24 (1) (intro.) of the statutes is amended to read:

22 43.24 (1) (intro.) Each public library system shall be paid state aid for the
23 operation and maintenance of the system. The Except as provided in pars. (b) and
24 (c), the amount paid to each system shall be determined as follows:

SECTION 945dh. 43.24 (1) (a) of the statutes is repealed and recreated to read:

43.24 **(1)** (a) 1. Determine the percentage change in the total amount appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current fiscal year.

2. Multiply the amount of state aid received by the system in the previous fiscal year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

SECTION 945dp. 43.24 (1) (b) of the statutes is repealed and recreated to read:

43.24 **(1)** (b) If the territory of a public library system is altered, the department shall adjust the aid paid to that system under par. (a). The department shall promulgate rules establishing the method the department will use to make the adjustment.

SECTION 945dt. 43.24 (1) (c) of the statutes is repealed and recreated to read:

43.24 **(1)** (c) Beginning in the fiscal year in which the total amount of state aid appropriated for public library systems under s. 20.255 (3) (e), as determined by the department, equals at least 11.25% of the total operating expenditures for public library services from local and county sources in the calendar year ending in that fiscal year, the amount paid to each system shall be determined by adding the result of each of the following calculations:

1. Multiply the system's percentage of the state's population by the product of the amount appropriated under s. 20.255 (3) (e) and 0.85.

2. Multiply the system's percentage of the state's geographical area by the product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

3. Divide the sum of the payments to the municipalities and counties in the system under subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated payments under s. 79.015, by the total of all payments under

1 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
2 payments under s. 79.015, and multiply the result by the product of the amount
3 appropriated under s. 20.255 (3) (e) and 0.075.”.

4 **665.** Page 537, line 19: after that line insert:

5 “**SECTION 945ds.** 43.17 (9) (a) of the statutes is amended to read:

6 43.17 (9) (a) All contracts for public construction, ~~the estimated cost of which~~
7 ~~exceeds \$5,000,~~ made by a federated public library system whose territory lies within
8 2 or more counties or by a federated public library system whose territory lies within
9 a single county with a population of at least 500,000 shall be let by the public library
10 system board to the lowest responsible bidder in accordance with s. 62.15 (1) to (11)
11 and (14). For purposes of this section, the system board possesses the powers
12 conferred by s. 62.15 on the board of public works and the common council. All
13 contracts made under this section shall be made in the name of the federated public
14 library system and shall be executed by the system board president and such other
15 board officer as the system board designates.”.

16 **666.** Page 538, line 21: after that line insert:

17 “**SECTION 946g.** 44.34 (13) of the statutes is created to read:

18 44.34 (13) Produce a CD-ROM about the restoration of the state capitol.”.

19 **667.** Page 541, line 19: delete “School for the Visually” and substitute “Center
20 for the Blind and Visually Impaired”.

21 **668.** Page 541, line 20: delete “Handicapped”.

22 **669.** Page 543, line 6: after that line insert:

23 “**SECTION 955p.** 44.72 (1) (e) of the statutes is created to read:

1 44.72 (1) (e) Consult with the department of public instruction before awarding
2 grants under this subsection.”.

3 **670.** Page 545, line 16: delete the material beginning with that line and
4 ending with page 546, line 4.

5 **671.** Page 552, line 2: before “to” insert “including a community-based
6 residential facility.”.

7 **672.** Page 555, line 10: after that line insert:

8 “**SECTION 999d.** 46.036 (4) (a) of the statutes is amended to read:

9 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
10 entry accounting system and a management information system which are
11 compatible with cost accounting and control systems prescribed by the department.
12 The department shall establish a simplified double entry bookkeeping system for use
13 by family-operated group homes. Each purchaser shall determine whether a
14 family-operated group home from which it purchases services shall use the double
15 entry accounting system or the simplified system and shall include this
16 determination in the purchase of service contract. In this paragraph,
17 “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for
18 which the licensee is one or more individuals who operate not more than one group
19 home.”.

20 **673.** Page 555, line 10: after that line insert:

21 “**SECTION 997m.** 46.03 (44) of the statutes is created to read:

22 46.03 (44) STRAY VOLTAGE RESEARCH. Conduct research and investigate
23 allegations that the 3rd harmonic of 60-hertz current harms people and dairy
24 animals. The department shall allocate moneys transferred to the appropriation

1 account under s. 20.435 (1) (kx) from the appropriation under s. 20.155 (1) (jm) for
2 this purpose.”.

3 **674.** Page 555, line 25: after that line insert:

4 “**SECTION 999p.** 46.041 (1) (a) of the statutes is amended to read:

5 46.041 (1) (a) Provide for the temporary residence and evaluation of children
6 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the
7 institutions and services under the jurisdiction of the department, University of
8 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,
9 46.22 or 46.23, private child welfare agencies, schools the Wisconsin School for the
10 deaf and visually handicapped, Deaf, the Wisconsin Center for the Blind and
11 Visually Impaired and mental health facilities within the state at the discretion of
12 the superintendent director of the institution providing services under this section.”.

13 **675.** Page 559, line 21: after that line insert:

14 “**SECTION 1003c.** 46.10 (2m) of the statutes is amended to read:

15 46.10 (2m) The liability specified in sub. (2) shall not apply to tuberculosis
16 patients receiving care, maintenance, services and supplies under ss. ~~58.06 and~~
17 252.07 to 252.10, to persons 18 and older receiving care, maintenance, services and
18 supplies provided by prisons named in s. 302.01 or to parents of a minor who receives
19 care for alcohol or drug abuse under s. 51.47 (1) without consent of the minor’s parent
20 or guardian.

21 **SECTION 1003t.** 46.18 (1) of the statutes is amended to read:

22 46.18 (1) TRUSTEES. Every county home, infirmary, hospital, ~~tuberculosis~~
23 ~~hospital or sanatorium,~~ or similar institution, shall, subject to regulations approved
24 by the county board, be managed by a board of trustees, electors of the county, chosen

1 by ballot by the county board. At its annual meeting, the county board shall appoint
2 an uneven number of trustees, from 3 to 9 at the option of the board, for staggered
3 3-year terms ending the first Monday in January. Any vacancy shall be filled for the
4 unexpired term by the county board; but the chairperson of the county board may
5 appoint a trustee to fill the vacancy until the county board acts.

6 **SECTION 1003u.** 46.20 (1) of the statutes is amended to read:

7 46.20 (1) Any 2 or more counties may jointly, by majority vote of all the
8 members of each county board, provide for a county home, infirmary, hospital,
9 tuberculosis hospital or sanatorium, or similar institution, or juvenile detention
10 home, which shall be established, maintained and operated pursuant to all the
11 statutes relating to the establishment, maintenance and operation of similar
12 institutions, respectively, by any single county whose population is less than
13 250,000, except as otherwise provided in this section; and in all respects, except as
14 herein specified, each such institution shall be the county institution of each of the
15 counties so joining.

16 **SECTION 1003v.** 46.20 (3) of the statutes is amended to read:

17 46.20 (3) Upon approval of the site, plans and specifications, as provided in s.
18 ~~252.073 as to tuberculosis sanatoriums and~~ ss. 46.17 and 301.37, as to other
19 institutions, the joint committee shall report to the several county boards the
20 estimated cost of the site and buildings, and the amount thereof chargeable to each
21 county on the basis set forth in sub. (6) (a), appending to each report a copy of the
22 plans and specifications and all matter relating to the site and buildings. If the
23 report is approved by each county board, the joint committee shall purchase the site
24 and cause the buildings to be erected in accordance with the plans and specifications.

25 **SECTION 1003w.** 46.20 (8) of the statutes is repealed.

1 **SECTION 1003x.** 46.20 (10) of the statutes is repealed.”.

2 **676.** Page 569, line 25: delete “whether or not the person is a private pay
3 admittee at the time of admission.” and substitute “~~whether or not the person is a~~
4 ~~private pay admittee at the time of admission.~~ except that a person seeking
5 admission or about to be admitted on a private pay basis may waive the assessment,
6 unless the person is expected to become eligible for medical assistance within 6
7 months of assessment.”.

8 **677.** Page 570, line 4: after that line insert:

9 “**SECTION 1045g.** 46.27 (7) (cL) of the statutes is created to read:

10 46.27 (7) (cL) No county department or aging unit may deny services to a
11 person under par. (cj) who refused to have an assessment completed as required
12 under par. (cj) 3. a. before the effective date of this paragraph [revisor inserts
13 date].”.

14 **678.** Page 570, line 4: after that line insert:

15 “**SECTION 1045d.** 46.27 (7) (ck) 1. of the statutes is amended to read:

16 46.27 (7) (ck) 1. Subject to the approval of the department, and except as
17 provided in sub. (7b) (a), a county may establish and implement more restrictive
18 conditions than those imposed under par. (cj) on the use of funds received under par.
19 (b) for the provision of services to a person in a community–based residential facility.
20 A county that establishes more restrictive conditions under this subdivision shall
21 include the conditions in its community options plan under sub. (3) (cm).

22 **SECTION 1045e.** 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

23 46.27 (7) (cm) 1. (intro.) ~~Beginning~~ Except as provided sub. (7b), beginning on
24 January 1, 1996, no county, private nonprofit agency or aging unit may use funds

received under par. (b) to provide services in any community-based residential facility that has more than 8 beds, unless one of the following applies.”.

679. Page 572, line 6: after that line insert:

“**SECTION 1048m.** 46.27 (7b) of the statutes is created to read:

46.27 (7b) PILOT PROGRAM IN CHIPPEWA COUNTY. The department shall establish a pilot project in Chippewa County to effect all of the following:

(a) Notwithstanding the maximum total amount established by Chippewa County under sub. (3) (f), Chippewa County may not deny services under this section to an eligible individual who resides in a community-based residential facility when the individual becomes eligible, solely because the maximum total amount has been reached.

(b) In making a determination under sub. (7) (cj) 3. e. regarding the cost-effectiveness of a placement in a community-based residential facility, Chippewa County shall consider all state and federal funds needed for all options considered.

(c) Chippewa County, or a private nonprofit agency or aging unit in Chippewa County, may use funds received under sub. (7) (b) to provide services in any community-based residential facility that has 20 or fewer beds notwithstanding sub. (7) (cm) 1. Subsection (7) (cm) 1. applies in Chippewa County, however, with respect to the use of funds received under sub. (7) (b) to provide services in any community-based residential facility that has more than 20 beds.”.

680. Page 574, line 23: delete “whether or not the person is a private pay admittee at the time of admission.” and substitute “~~whether or not the person is a private pay admittee at the time of admission.~~ except that a person seeking

1 admission or about to be admitted on a private pay basis may waive the assessment,
2 unless the person is expected to become eligible for medical assistance within 6
3 months of assessment.”.

4 **681.** Page 575, line 2: after that line insert:

5 “**SECTION 1059.** 46.27 (11) (c) 5q. of the statutes is created to read:

6 46.27 **(11)** (c) 5q. No county department or aging unit may deny services to a
7 person under subd. 5n. who refused to have an assessment completed as required
8 under subd. 5n. a. before the effective date of this subdivision [revisor inserts
9 date].”.

10 **682.** Page 576, line 3: delete “whether or not the person is a private pay
11 admittee at the time of admission.” and substitute “~~whether or not the person is a~~
12 ~~private pay admittee at the time of admission.~~ except that a person seeking
13 admission or about to be admitted on a private pay basis may waive the assessment,
14 unless the person is expected to become eligible for medical assistance within 6
15 months of assessment.”.

16 **683.** Page 594, line 9: after “supervision.” insert “A resource center may not
17 require a financial screen for a person seeking admission or about to be admitted on
18 a private pay basis who waives the requirement for a financial screen under this
19 paragraph, unless the person is expected to become eligible for medical assistance
20 within 6 months. A resource center need not provide a functional screen for a person
21 seeking admission or about to be admitted who has received a screen for functional
22 eligibility under s. 46.286 (1) (a) within the previous 6 months.”.

23 **684.** Page 597, line 23: delete “nonprofit”.

24 **685.** Page 622, line 7: delete lines 7 to 14.

686. Page 622, line 18: delete “\$283,778,800” and substitute “\$284,978,800”.

687. Page 622, line 19: delete “\$279,886,800” and substitute “\$285,511,800”.

688. Page 623, line 3: delete “\$1,877,000 for each” and substitute “\$1,877,000 for each”.

689. Page 623, line 4: delete “fiscal year” and substitute “fiscal year
\$1,993,400 for fiscal year 1999–2000 and \$2,226,300 for fiscal year 2000–01”.

690. Page 624, line 14: after that line insert:

“**SECTION 1091k.** 46.46 (1) of the statutes is amended to read:

46.46 (1) The department shall perform activities to augment the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v. The department shall perform those income augmentation activities itself and may not contract with any person to perform those income augmentation activities. From the appropriation account under s. 20.435 (8) (mb), the department shall support costs that are exclusively related to the operational costs of augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v performing those income augmentation activities. In addition, the department may expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided in sub. (2).”.

691. Page 625, line 25: after that line insert:

“**SECTION 1098m.** 46.48 (30) of the statutes is created to read:

46.48 (30) **SUBSTANCE ABUSE TREATMENT GRANTS.** (a) From the appropriation under s. 20.435 (7) (bc), the department shall distribute grants on a competitive basis to county departments of social services and to private nonprofit organizations, as defined in s. 103.21 (2), for the provision of alcohol and other drug abuse treatment

1 services in counties with a population of 500,000 or more. Grants distributed under
2 this subsection may be used only to provide treatment for alcohol and other drug
3 abuse to individuals who are eligible for federal temporary assistance for needy
4 families under 42 USC 601 et. seq. and who have a family income of not more than
5 200% of the poverty line, as defined in s. 49.001 (5).

6 (b) Notwithstanding par. (a), the department may distribute grants under par.
7 (a) only to the extent that the distribution meets the maintenance-of-effort
8 requirement under the federal temporary assistance for needy families program
9 under 42 USC 601 et. seq.”.

10 **692.** Page 626, line 4: after that line insert:

11 “**SECTION 1099g.** 46.481 (5) of the statutes is created to read:

12 46.481 (5) HEALTHY FAMILIES PROGRAM. The department shall distribute
13 \$100,000 in each fiscal year to Kenosha Area Family and Aging Services, Inc., for the
14 provision of home visiting services for mothers who are under 18 years of age under
15 that organization’s healthy families program.”.

16 **693.** Page 626, line 4: after that line insert:

17 “**SECTION 1099m.** 46.481 (6) of the statutes is created to read:

18 46.481 (6) CHILDREN’S SAFE HOUSE CHILD CARE PROGRAM. The department shall
19 distribute \$50,000 in each fiscal year to the children’s safe house child care program
20 in Kenosha County for the operation of that program.”.

21 **694.** Page 645, line 22: after that line insert:

22 “**SECTION 1130m.** 48.20 (8) of the statutes is amended to read:

23 48.20 (8) If a child is held in custody, the intake worker shall notify the child’s
24 parent, guardian and legal custodian of the reasons for holding the child in custody

1 and of the child's whereabouts unless there is reason to believe that notice would
2 present imminent danger to the child. The parent, guardian and legal custodian
3 shall also be notified of the time and place of the detention hearing required under
4 s. 48.21, the nature and possible consequences of that hearing, the right to counsel
5 under s. 48.23 regardless of ability to pay and the right to present and cross-examine
6 witnesses at the hearing. If the parent, guardian or legal custodian is not
7 immediately available, the intake worker or another person designated by the court
8 shall provide notice as soon as possible. When the child is 12 years of age or older,
9 the child shall receive the same notice about the detention hearing as the parent,
10 guardian or legal custodian. The intake worker shall notify both the child and the
11 child's parent, guardian or legal custodian. When the child is an expectant mother
12 who has been taken into custody under s. 48.19 (1) (cm) or (d) 8., the unborn child,
13 through the unborn child's guardian ad litem, shall receive the same notice about the
14 whereabouts of the child expectant mother, about the reasons for holding the child
15 expectant mother in custody and about the detention hearing as the child expectant
16 mother and her parent, guardian or legal custodian. The intake worker shall notify
17 the child expectant mother, her parent, guardian or legal custodian and the unborn
18 child, by the unborn child's guardian ad litem.

19 **SECTION 1130p.** 48.21 (3) (d) of the statutes is amended to read:

20 48.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian
21 or legal custodian shall be informed by the court of the allegations that have been
22 made or may be made, the nature and possible consequences of this hearing as
23 compared to possible future hearings, the right to counsel under s. 48.23 regardless
24 of ability to pay, the right to confront and cross-examine witnesses and the right to
25 present witnesses.

1 **SECTION 1130r.** 48.23 (2) of the statutes is renumbered 48.23 (2) (a) and
2 amended to read:

3 48.23 **(2)** (a) Whenever a child is alleged to be in need of protection or services
4 under s. 48.13 or is the subject of a proceeding involving a contested adoption or the
5 involuntary termination of parental rights, any parent under 18 years of age who
6 appears before the court shall be represented by counsel; but no such parent may
7 waive counsel. A minor parent petitioning for the voluntary termination of parental
8 rights shall be represented by a guardian ad litem. If a proceeding involves a
9 contested adoption or the involuntary termination of parental rights, any parent 18
10 years old or older who appears before the court shall be represented by counsel; but
11 the parent may waive counsel provided the court is satisfied such waiver is
12 knowingly and voluntarily made.

13 **SECTION 1130t.** 48.23 (2) (b) of the statutes is created to read:

14 48.23 **(2)** (b) If a petition under s. 48.13 is contested, no child may be placed
15 outside his or her home unless the nonpetitioning parent is represented by counsel
16 at the fact-finding hearing and subsequent proceedings. If the petition is not
17 contested, the child may not be placed outside his or her home unless the
18 nonpetitioning parent is represented by counsel at the hearing at which the
19 placement is made. A parent who is required under this paragraph to be represented
20 by counsel may, however, waive counsel if the court is satisfied that such waiver is
21 knowingly and voluntarily made, and the court may place the child outside the home
22 even though the parent was not represented by counsel.

23 **SECTION 1130v.** 48.23 (3) of the statutes is amended to read:

24 48.23 **(3)** POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under~~
25 ~~s. 48.13, at~~ At any time, upon request or on its own motion, the court may appoint

1 counsel for the child or any party, unless the child or the party has or wishes to retain
2 counsel of his or her own choosing. ~~The court may not appoint counsel for any party~~
3 ~~other than the child in a proceeding under s. 48.13.~~

4 **SECTION 1130x.** 48.23 (4) of the statutes is amended to read:

5 48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
6 person child has a right to be represented by counsel or is provided counsel at the
7 discretion of the court and counsel is not knowingly and voluntarily waived, the court
8 shall refer the person child to the state public defender and counsel shall be
9 appointed by the state public defender under s. 977.08 without a determination of
10 indigency. If the referral is of a person child who has filed a petition under s. 48.375
11 (7), the state public defender shall appoint counsel within 24 hours after that
12 referral. Any counsel appointed in a petition filed under s. 48.375 (7) shall continue
13 to represent the child in any appeal brought under s. 809.105 unless the child
14 requests substitution of counsel or extenuating circumstances make it impossible for
15 counsel to continue to represent the child. In any situation under sub. (2) or (2m) in
16 which a parent 18 years of age or over or an adult expectant mother is entitled to
17 representation by counsel; counsel is not knowingly and voluntarily waived; and it
18 appears that the parent or adult expectant mother is unable to afford counsel in full,
19 or the parent or adult expectant mother so indicates; the court shall refer the parent
20 or adult expectant mother to the authority for indigency determinations specified
21 under s. 977.07 (1). In any other situation under this section in which a person has
22 a right to be represented by counsel or is provided counsel at the discretion of the
23 court, competent and independent counsel shall be provided and reimbursed in any
24 manner suitable to the court regardless of the person's ability to pay, except that the

1 court may not order a person who files a petition under s. 813.122 or 813.125 to
2 reimburse counsel for the child who is named as the respondent in that petition.”.

3 **695.** Page 645, line 22: after that line insert:

4 “SECTION 1131c. 48.207 (1) (a) of the statutes is amended to read:

5 48.207 (1) (a) The home of a parent or guardian, except that a child may not
6 be held in the home of a parent or guardian if the parent or guardian has been
7 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05
8 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction
9 has not been reversed, set aside or vacated, unless the person making the custody
10 decision determines by clear and convincing evidence that the placement would be
11 in the best interests of the child. The person making the custody decision shall
12 consider the wishes of the child in making that determination.

13 **SECTION 1131cf.** 48.207 (1) (b) of the statutes is amended to read:

14 48.207 (1) (b) The home of a relative, except that a child may not be held in the
15 home of a relative if the relative has been convicted under s. 940.01 of the
16 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
17 homicide, of a parent of the child, and the conviction has not been reversed, set aside
18 or vacated, unless the person making the custody decision determines by clear and
19 convincing evidence that the placement would be in the best interests of the child.
20 The person making the custody decision shall consider the wishes of the child in
21 making that determination.”.

22 **696.** Page 645, line 22: after that line insert:

23 “SECTION 1131d. 48.02 (17) of the statutes is amended to read:

1 48.02 (17) “Shelter care facility” means a nonsecure place of temporary care
2 and physical custody for children, including a holdover room, licensed by the
3 department under s. 48.66 (1) (a).”.

4 **697.** Page 646, line 3: after that line insert:

5 “**SECTION 1131h.** 48.32 (2) (a) of the statutes is amended to read:

6 48.32 (2) (a) A consent decree shall remain in effect up to ~~6 months~~ one year
7 unless the child, parent, guardian, legal custodian or expectant mother is discharged
8 sooner by the judge or juvenile court commissioner.”.

9 **698.** Page 646, line 3: after that line insert:

10 “**SECTION 1131m.** 48.27 (4) (a) 2. of the statutes is amended to read:

11 48.27 (4) (a) 2. Advise the child and any other party, if applicable, of his or her
12 right to legal counsel regardless of ability to pay.”.

13 **699.** Page 646, line 3: after that line insert:

14 “**SECTION 1131h.** 48.345 (3) (a) of the statutes is amended to read:

15 48.345 (3) (a) The home of a parent or other relative of the child, except that
16 the judge may not designate the home of a parent or other relative of the child as the
17 child’s placement if the parent or other relative has been convicted under s. 940.01
18 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
19 intentional homicide, of a parent of the child, and the conviction has not been
20 reversed, set aside or vacated, unless the judge determines by clear and convincing
21 evidence that the placement would be in the best interests of the child. The judge
22 shall consider the wishes of the child in making that determination.

23 **SECTION 1131hd.** 48.345 (3) (b) of the statutes is amended to read:

1 48.345 (3) (b) ~~A home which need not be~~ The home of a person who is not
2 required to be licensed if placement is for less than 30 days, except that the judge may
3 not designate the home of a person who is not required to be licensed as the child's
4 placement if the person has been convicted under s. 940.01 of the first-degree
5 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
6 a parent of the child, and the conviction has not been reversed, set aside or vacated,
7 unless the judge determines by clear and convincing evidence that the placement
8 would be in the best interests of the child. The judge shall consider the wishes of the
9 child in making that determination.

10 **SECTION 1131i.** 48.355 (3) of the statutes is renumbered 48.355 (3) (a) and
11 amended to read:

12 48.355 (3) (a) If Except as provided in par. (b), if, after a hearing on the issue
13 with due notice to the parent or guardian, the judge court finds that it would be in
14 the best interest of the child, the judge court may set reasonable rules of parental
15 visitation.

16 **SECTION 1131id.** 48.355 (3) (b) of the statutes is created to read:

17 48.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant
18 visitation under par. (a) to a parent of a child if the parent has been convicted under
19 s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
20 2nd-degree intentional homicide, of the child's other parent, and the conviction has
21 not been reversed, set aside or vacated.

22 1m. Except as provided in subd. 2., if a parent who is granted visitation rights
23 with a child under par. (a) is convicted under s. 940.01 of the first-degree intentional
24 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of the child's
25 other parent, and the conviction has not been reversed, set aside or vacated, the court

1 shall issue an order prohibiting the parent from having visitation with the child on
2 petition of the child, the guardian or legal custodian of the child, a person or agency
3 bound by the dispositional order or the district attorney or corporation counsel of the
4 county in which the dispositional order was entered, or on the court's own motion,
5 and on notice to the parent.

6 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
7 convincing evidence that the visitation would be in the best interests of the child.
8 The court shall consider the wishes of the child in making that determination.

9 **SECTION 1131ir.** 48.357 (4d) of the statutes is created to read:

10 48.357 **(4d)** (a) Except as provided in par. (b), the court may not change a child's
11 placement to a placement in the home of a person who has been convicted under s.
12 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
13 intentional homicide, of a parent of the child, if the conviction has not been reversed,
14 set aside or vacated.

15 (am) Except as provided in par (b), if a parent in whose home a child is placed
16 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.
17 940.05 of the 2nd-degree intentional homicide, of the child's other parent, and the
18 conviction has not been reversed, set aside or vacated, the court shall change the
19 child's placement to a placement out of the home of the parent on petition of the child,
20 the guardian or legal custodian of the child, a person or agency bound by the
21 dispositional order or the district attorney or corporation counsel of the county in
22 which the dispositional order was entered, or on the court's own motion, and on notice
23 to the parent.

1 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
2 convincing evidence that the placement would be in the best interests of the child.
3 The court shall consider the wishes of the child in making that determination.”.

4 **700.** Page 647, line 9: after that line insert:

5 “**SECTION 1131p.** 48.415 (8) of the statutes is amended to read:

6 48.415 (8) ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO
7 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to
8 commit homicide of a parent, which shall be established by proving that a parent of
9 the child has been a victim of first-degree intentional homicide in violation of s.
10 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree
11 intentional homicide in violation of s. 940.05 or a crime under federal law or the law
12 of any other state that is comparable to ~~a crime specified in this subsection~~ any of
13 those crimes, or has been the intended victim of a solicitation to commit first-degree
14 intentional homicide in violation of s. 939.30 or a crime under federal law or the law
15 of any other state that is comparable to that crime, and that the person whose
16 parental rights are sought to be terminated has been convicted of that intentional
17 or reckless homicide, solicitation or crime under federal law or the law of any other
18 state as evidenced by a final judgment of conviction.”.

19 **701.** Page 647, line 9: after that line insert:

20 “**SECTION 1131p.** 48.42 (1m) (b) of the statutes is amended to read:

21 48.42 (1m) (b) The Subject to par. (e), the court may issue the temporary order
22 ex parte or may refuse to issue the temporary order and hold a hearing on whether
23 to issue an injunction. The temporary order is in effect until a hearing is held on the
24 issuance of an injunction. The court shall hold a hearing on the issuance of an

1 injunction on or before the date of the hearing on the petition to terminate parental
2 rights under s. 48.422 (1).

3 **SECTION 1131pd.** 48.42 (1m) (c) of the statutes is amended to read:

4 48.42 **(1m)** (c) Notwithstanding any other order under s. 48.355 (3), the court,
5 subject to par. (e), may grant an injunction prohibiting the respondent from visiting
6 or contacting the child if the court determines that the prohibition would be in the
7 best interests of the child. An injunction under this subsection is effective according
8 to its terms but may not remain in effect beyond the date the court dismisses the
9 petition for termination of parental rights under s. 48.427 (2) or issues an order
10 terminating parental rights under s. 48.427 (3).

11 **SECTION 1131pg.** 48.42 (1m) (e) of the statutes is created to read:

12 48.42 **(1m)** (e) 1. Except as provided in subd. 2., the court shall issue a
13 temporary order and injunction prohibiting a parent of a child from visitation or
14 contact with the child if the parent has been convicted under s. 940.01 of the
15 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
16 homicide, of the child's other parent, and the conviction has not been reversed, set
17 aside or vacated.

18 2. Subdivision 1. does not apply if the court determines by clear and convincing
19 evidence that the visitation or contact would be in the best interests of the child. The
20 court shall consider the wishes of the child in making that determination.

21 **SECTION 1131pm.** 48.428 (6) of the statutes is renumbered 48.428 (6) (a) and
22 amended to read:

23 48.428 **(6)** (a) The Except as provided in par. (b), the court may order or prohibit
24 visitation by a birth parent of a child placed in sustaining care.

25 **SECTION 1131pp.** 48.428 (6) (b) of the statutes is created to read:

1 48.428 **(6)** (b) 1. Except as provided in subd. 2., the court may not grant
2 visitation under par. (a) to a birth parent of a child who has been placed in sustaining
3 care if the birth parent has been convicted under s. 940.01 of the first-degree
4 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
5 the child's other birth parent, and the conviction has not been reversed, set aside or
6 vacated.

7 1m. Except as provided in subd. 2., if a birth parent who is granted visitation
8 rights with a child under par. (a) is convicted under s. 940.01 of the first-degree
9 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
10 the child's other birth parent, and the conviction has not been reversed, set aside or
11 vacated, the court shall issue an order prohibiting the birth parent from having
12 visitation with the child on petition of the child, the guardian or legal custodian of
13 the child, or the district attorney or corporation counsel of the county in which the
14 dispositional order was entered, or on the court's own motion, and on notice to the
15 birth parent.

16 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
17 convincing evidence that the visitation would be in the best interests of the child.
18 The court shall consider the wishes of the child in making that determination.”.

19 **702.** Page 647, line 21: after that line insert:

20 “**SECTION 1134h.** 48.48 (17) (a) 10. of the statutes is amended to read:

21 48.48 **(17)** (a) 10. Administer kinship care and long-term kinship care as
22 provided in s. 48.57 (3m), (3n), (3o) and (3p).”.

23 **703.** Page 647, line 21: after that line insert:

24 “**SECTION 1132d.** 48.48 (9) of the statutes is amended to read:

1 48.48 **(9)** To license foster homes or treatment foster homes as provided in s.
2 48.66 (1) (a) for its own use or for the use of licensed child welfare agencies or, if
3 requested to do so, for the use of county departments.

4 **SECTION 1133d.** 48.48 (9m) of the statutes is amended to read:

5 48.48 **(9m)** To license shelter care facilities as provided in s. 48.66 (1) (a).

6 **SECTION 1134d.** 48.48 (10) of the statutes is amended to read:

7 48.48 **(10)** To license child welfare agencies and day care centers as provided
8 in s. 48.66 (1) (a).”.

9 **704.** Page 649, line 21: after that line insert:

10 **“SECTION 1142g.** 48.57 (3m) (f) of the statutes is amended to read:

11 48.57 **(3m)** (f) Any person whose application for payments under par. (am) is
12 not acted on promptly or is denied on the grounds that ~~a condition~~ any of the
13 conditions specified in par. (am) 1., ~~2., 5. or~~ to 6. has not been met and any person
14 whose payments under par. (am) are discontinued under par. (d) may petition the
15 department under par. (g) for a review of that action or failure to act. Review is
16 unavailable if the action or failure to act arose more than 45 days before submission
17 of the petition for review.”.

18 **705.** Page 650, line 5: after that line insert:

19 **“SECTION 1143dm.** 48.60 (2) (d) of the statutes is amended to read:

20 48.60 **(2)** (d) A hospital, maternity hospital, maternity home, or nursing home
21 ~~or tuberculosis sanatorium~~ licensed, approved or supervised by the department;”.

22 **706.** Page 650, line 5: after that line insert:

23 **“SECTION 1145g.** 48.57 (3n) (f) of the statutes is amended to read:

1 48.57 **(3n)** (f) Any person whose application for payments under par. (am) is not
2 acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions
3 specified in par. (am) 1., ~~2., 5., 5m.~~ or to 5r. has not been met and any person whose
4 payments under par. (am) are discontinued under par. (d) may petition the
5 department under par. (g) for a review of that action or failure to act. Review is
6 unavailable if the action or failure to act arose more than 45 days before submission
7 of the petition for review.

8 **SECTION 1145h.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

9 48.57 **(3p)** (fm) 1. The county department or, in a county having a population
10 of 500,000 or more, the department of health and family services may provisionally
11 approve the making of payments under sub. (3m) based on the applicant's statement
12 under sub. (3m) (am) 4m. The county department or department of health and family
13 services may not finally approve the making of payments under sub. (3m) unless the
14 county department or department of health and family services receives information
15 from the department of justice indicating that the conviction record of the applicant
16 under the law of this state is satisfactory according to the criteria specified in par.
17 (g) 1. to 3. ~~or payment is approved under par. (h) 4.~~ The county department or
18 department of health and family services may make payments under sub. (3m)
19 conditioned on the receipt of information from the federal bureau of investigation
20 indicating that the person's conviction record under the law of any other state or
21 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

22 **SECTION 1145j.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

23 48.57 **(3p)** (g) (intro.) ~~Except as provided in par. (h), the A~~ county department
24 or, in a county having a population of 500,000 or more, the department of health and
25 family services may not make payments to a person applying for payments under

1 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person
2 in a position in which that person would have regular contact with the child for whom
3 those payments are being made or permit a person to be an adult resident if any of
4 the following applies:

5 **SECTION 1145m.** 48.57 (3p) (h) of the statutes is repealed.

6 **SECTION 1145p.** 48.57 (3t) of the statutes is amended to read:

7 48.57 (3t) Notwithstanding subs. (3m), (3n) and (3p), the department may
8 enter into an agreement with the governing body of a federally recognized American
9 Indian tribe or band to allow that governing body to administer the program under
10 subs. (3m), (3n) and (3p) within the boundaries of that reservation. ~~Any agreement~~
11 ~~under this subsection relating to the administration of the program under sub. (3m)~~
12 ~~shall specify the person with whom a request for review under sub. (3p) (h) 2. may~~
13 ~~be filed and the person who has been designated by the governing body to conduct~~
14 ~~the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.~~
15 Any agreement under this subsection relating to the administration of the program
16 under sub. (3n) shall specify who is to make any determination as to whether a
17 conviction record is satisfactory.”.

18 **707.** Page 650, line 5: after that line insert:

19 “**SECTION 1145p.** 48.57 (3o) of the statutes is created to read:

20 48.57 (3o) (a) In this subsection:

21 1. “Kinship care relative” has the meaning given in sub. (3m) (a).

22 2. “Long-term kinship care relative” has the meaning given in sub. (3n) (a).

23 (b) From the appropriation under s. 20.435 (3) (kc), the department shall
24 reimburse counties having populations of less than 500,000 for payments made

1 under this subsection and shall make payments under this subsection in a county
2 having a population of 500,000 or more. A county department and, in a county
3 having a population of 500,000 or more, the department shall make payments in the
4 amount of \$215 per month to a kinship care relative or a long-term kinship care
5 relative who is providing care and maintenance for a person if the person meets all
6 of the following conditions:

7 1. The person is 18 years of age or over.

8 2. The person is enrolled in and regularly attending a secondary education
9 classroom program leading to a high school diploma.

10 3. The person has not been absent from that program without an acceptable
11 excuse under ss. 118.15 and 118.16 (4) for part or all of any day on which that program
12 is held during the month preceding the month in which a payment under this
13 paragraph is payable.

14 4. The person received funding under sub. (3m) (am) or (3n) (am) immediately
15 prior to the person's 18th birthday.

16 (c) The county department or department making payments under par. (b)
17 shall monitor the classroom attendance of the person receiving care and
18 maintenance under par. (b) and may require consent to the release of school
19 attendance records, under s. 118.125 (2) (e), as a condition of eligibility for payments
20 under par. (b).

21 (d) Subsection (3m) or (3n), whichever is applicable, and subs. (3p) and (3t)
22 shall continue to apply to a kinship care relative, long-term kinship care relative and
23 person receiving care and maintenance under par. (b) in the same manner as those
24 subsections applied to those persons immediately prior to the 18th birthday of the
25 person receiving that care and maintenance.

1 **SECTION 1145t.** 48.57 (3t) of the statutes is amended to read:

2 48.57 **(3t)** Notwithstanding subs. (3m), (3n), (3o) and (3p), the department may
3 enter into an agreement with the governing body of a federally recognized American
4 Indian tribe or band to allow that governing body to administer the program under
5 subs. (3m), (3n), (3o) and (3p) within the boundaries of that reservation. Any
6 agreement under this subsection relating to the administration of the program under
7 sub. (3m) shall specify the person with whom a request for review under sub. (3p) (h)
8 2. may be filed and the person who has been designated by the governing body to
9 conduct the review under sub. (3p) (h) 3. and make the determination under sub. (3p)
10 (h) 4. Any agreement under this subsection relating to the administration of the
11 program under sub. (3n) shall specify who is to make any determination as to
12 whether a conviction record is satisfactory.”.

13 **708.** Page 651, line 25: after that line insert:

14 “**SECTION 1153d.** 48.66 (1) of the statutes is renumbered 48.66 (1) (a) and
15 amended to read:

16 48.66 **(1)** (a) Except as provided ~~under~~ in s. 48.715 (6) and (7), the department
17 shall license and supervise child welfare agencies, as required by s. 48.60, group
18 homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and
19 day care centers, as required by s. 48.65. The department may license foster homes
20 or treatment foster homes, as provided by s. 48.62, and may license and supervise
21 county departments in accordance with the procedures specified in this section and
22 in ss. 48.67 to 48.74.

23 (b) Except as provided ~~under~~ in s. 48.715 (6), the department of corrections may
24 license a child welfare agency to operate a secured child caring institution, as defined

1 in s. 938.02 (15g), for holding in secure custody juveniles who have been convicted
2 under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h) or
3 (4m) and referred to the child welfare agency by the court or the department of
4 corrections and to provide supervision, care and maintenance for those juveniles.
5 The department of corrections may also license not more than 5 county departments,
6 as defined in s. 938.02 (2g), or not more than 5 consortia of county departments to
7 operate not more than 5 group homes that have been licensed under par. (a) as
8 secured group homes, as defined in s. 938.02 (15p), for holding in secure custody
9 juveniles who have been convicted under s. 938.183 or adjudicated delinquent under
10 s. 938.183 or 938.34 (4m) and referred to the county department by the court and to
11 provide supervision, care and maintenance for those juveniles.

12 (c) A license issued under this subsection par. (a) or (b), other than a license to
13 operate a foster home, treatment foster home or, secured child caring institution or
14 secured group home, is valid until revoked or suspended. A license issued under this
15 subsection to operate a foster home, treatment foster home or, secured child caring
16 institution or secured group home may be for any term not to exceed 2 years from the
17 date of issuance. No license issued under this subsection par. (a) or (b) is
18 transferable.

19 **SECTION 1154d.** 48.66 (2m) (a) 1. of the statutes, as affected by 1999 Wisconsin
20 Act (this act), is amended to read:

21 48.66 **(2m)** (a) 1. Except as provided in subd. 2., the department of health and
22 family services shall require each applicant for a license under sub. (1) (a) to operate
23 a child welfare agency, group home, shelter care facility or day care center who is an
24 individual to provide that department with the applicant's social security number,
25 and shall require each applicant for a license under sub. (1) (a) to operate a child

1 welfare agency, group home, shelter care facility or day care center who is not an
2 individual to provide that department with the applicant's federal employer
3 identification number, when initially applying for or applying to continue the license.

4 **SECTION 1155d.** 48.66 (2m) (am) 1. of the statutes, as affected by 1999
5 Wisconsin Act (this act), is amended to read:

6 48.66 **(2m)** (am) 1. Except as provided in subd. 2., the department of corrections
7 shall require each applicant for a license under sub. (1) (b) to operate a secured child
8 caring institution who is an individual to provide that department with the
9 applicant's social security number when initially applying for or applying to renew
10 the license.

11 **SECTION 1156d.** 48.66 (2m) (b) of the statutes, as affected by 1999 Wisconsin
12 Act (this act), is amended to read:

13 48.66 **(2m)** (b) If an applicant who is an individual fails to provide the
14 applicant's social security number to the department of health and family services
15 or if an applicant who is not an individual fails to provide the applicant's federal
16 employer identification number to that department, that department may not issue
17 or continue a license under sub. (1) (a) to operate a child welfare agency, group home,
18 shelter care facility or day care center to or for the applicant unless the applicant is
19 an individual who does not have a social security number and the applicant submits
20 a statement made or subscribed under oath or affirmation as required under par. (a)
21 2.

22 **SECTION 1157d.** 48.66 (2m) (bm) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is amended to read:

24 48.66 **(2m)** (bm) If an applicant who is an individual fails to provide the
25 applicant's social security number to the department of corrections, that department

1 may not issue or renew a license under sub. (1) (b) to operate a secured child caring
2 institution to or for the applicant unless the applicant does not have a social security
3 number and the applicant submits a statement made or subscribed under oath or
4 affirmation as required under par. (am) 2.

5 **SECTION 1158d.** 48.68 (1) of the statutes is amended to read:

6 48.68 (1) After receipt of an application for a license, the department shall
7 investigate to determine if the applicant meets the minimum requirements for a
8 license adopted by the department under s. 48.67 and meets the requirements
9 specified in s. 48.685, if applicable. In determining whether to issue or continue a
10 license, the department may consider any action by the applicant, or by an employee
11 of the applicant, that constitutes a substantial failure by the applicant or employee
12 to protect and promote the health, safety and welfare of a child. Upon satisfactory
13 completion of this investigation and payment of the fee required under s. 48.615 (1)
14 (a) or (b), 48.625 (2) (a), 48.65 (3) (a) or 938.22 (7) (b), the department shall issue a
15 license under s. 48.66 (1) (a) or, if applicable, a probationary license under s. 48.69
16 or, if applicable, shall continue a license under s. 48.66 (5). At the time of initial
17 licensure and license renewal, the department shall provide a foster home licensee
18 with written information relating to the age-related monthly foster care rates and
19 supplemental payments specified in s. 48.62 (4), including payment amounts,
20 eligibility requirements for supplemental payments and the procedures for applying
21 for supplemental payments.”.

22 **709.** Page 651, line 25: after that line insert:

23 “**SECTION 1153m.** 48.66 (2) of the statutes is amended to read:

1 48.66 (2) The department shall prescribe application forms to be used by all
2 applicants for licenses from it. The application forms prescribed by the department
3 shall require that the social security numbers of all applicants for a license to operate
4 a child welfare agency, group home, shelter care facility or day care center who are
5 individuals, other than an individual who does not have a social security number and
6 who submits a statement made or subscribed under oath or affirmation as required
7 under sub. (2m) (a) 2., be provided and that the federal employer identification
8 numbers of all applicants for a license to operate a child welfare agency, group home,
9 shelter care facility or day care center who are not individuals be provided.

10 **SECTION 1154c.** 48.66 (2m) (a) of the statutes is renumbered 48.66 (2m) (a) 1.
11 and amended to read:

12 48.66 (2m) (a) 1. The Except as provided in subd. 2., the department of health
13 and family services shall require each applicant for a license under sub. (1) to operate
14 a child welfare agency, group home, shelter care facility or day care center who is an
15 individual to provide that department with the applicant's social security number,
16 and shall require each applicant for a license under sub. (1) to operate a child welfare
17 agency, group home, shelter care facility or day care center who is not an individual
18 to provide that department with the applicant's federal employer identification
19 number, when initially applying for or applying to continue the license.

20 **SECTION 1154g.** 48.66 (2m) (a) 2. of the statutes is created to read:

21 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
22 security number, the applicant shall submit a statement made or subscribed under
23 oath or affirmation to the department of health and family services that the
24 applicant does not have a social security number. The form of the statement shall

1 be prescribed by the department of workforce development. A license issued in
2 reliance upon a false statement submitted under this subdivision is invalid.

3 **SECTION 1155c.** 48.66 (2m) (am) of the statutes is renumbered 48.66 (2m) (am)
4 1. and amended to read:

5 48.66 **(2m)** (am) 1. The Except as provided in subd. 2., the department of
6 corrections shall require each applicant for a license under sub. (1) to operate a
7 secured child caring institution who is an individual to provide that department with
8 the applicant's social security number when initially applying for or applying to
9 renew the license.

10 **SECTION 1155g.** 48.66 (2m) (am) 2. of the statutes is created to read:

11 48.66 **(2m)** (am) 2. If an applicant who is an individual does not have a social
12 security number, the applicant shall submit a statement made or subscribed under
13 oath or affirmation to the department of corrections that the applicant does not have
14 a social security number. The form of the statement shall be prescribed by the
15 department of workforce development. A license issued in reliance upon a false
16 statement submitted under this subdivision is invalid.

17 **SECTION 1156c.** 48.66 (2m) (b) of the statutes is amended to read:

18 48.66 **(2m)** (b) The If an applicant who is an individual fails to provide the
19 applicant's social security number to the department of health and family services
20 or if an applicant who is not an individual fails to provide the applicant's federal
21 employer identification number to that department, that department of health and
22 family services may not issue or continue a license under sub. (1) to operate a child
23 welfare agency, group home, shelter care facility or day care center to or for an the
24 applicant who is an individual unless the applicant has provided the applicant's is
25 an individual who does not have a social security number to that department and

1 ~~may not issue or continue a license under sub. (1) to operate a child welfare agency,~~
2 ~~group home, shelter care facility or day care center to or for an applicant who is not~~
3 ~~an individual unless the applicant has provided the applicant's federal employer~~
4 ~~identification number to that department~~ and the applicant submits a statement
5 made or subscribed under oath or affirmation as required under par. (a) 2.

6 **SECTION 1157c.** 48.66 (2m) (bm) of the statutes is amended to read:

7 48.66 **(2m)** (bm) ~~The~~ If an applicant who is an individual fails to provide the
8 applicant's social security number to the department of corrections, that department
9 ~~of corrections~~ may not issue or renew a license under sub. (1) to operate a secured
10 child caring institution to or for ~~an~~ the applicant ~~who is an individual~~ unless the
11 applicant ~~has provided the applicant's~~ does not have a social security number ~~to that~~
12 ~~department~~ and the applicant submits a statement made or subscribed under oath
13 or affirmation as required under par. (am) 2.

14 **SECTION 1157m.** 48.66 (2m) (c) of the statutes is amended to read:

15 48.66 **(2m)** (c) The department of health and family services may not disclose
16 any information obtained under par. (a) 1. to any person except to the department
17 of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the
18 request of the department of workforce development under s. 49.22 (2m).

19 **SECTION 1157p.** 48.66 (2m) (cm) of the statutes is amended to read:

20 48.66 **(2m)** (cm) The department of corrections may not disclose any
21 information obtained under par. (am) 1. to any person except on the request of the
22 department of workforce development under s. 49.22 (2m).”.

23 **710.** Page 651, line 25: after that line insert:

24 **“SECTION 1151d.** 48.651 (2m) of the statutes is amended to read:

1 48.651 **(2m)** Each county department shall provide the department with
2 information about each person who is denied certification for a reason specified in
3 s. 48.685 ~~(2)~~ (4m) (a) 1. to 5.

4 **SECTION 1159d.** 48.685 (1) (a) of the statutes is renumbered 48.685 (1) (am).

5 **SECTION 1159g.** 48.685 (1) (ag) of the statutes is created to read:

6 48.685 **(1)** (ag) 1. “Caregiver” means any of the following:

7 a. A person who is, or is expected to be, an employe or contractor of an entity,
8 who is or is expected to be under the control of the entity, as defined by the
9 department by rule, and who has, or is expected to have, regular, direct contact with
10 clients of the entity.

11 b. A person who has, or is seeking, a license, certification or contract to operate
12 an entity.

13 2. “Caregiver” does not include a person who is certified as an emergency
14 medical technician under s. 146.50 if the person is employed, or seeking employment,
15 as an emergency medical technician.

16 **SECTION 1159m.** 48.685 (1) (ar) of the statutes is created to read:

17 48.685 **(1)** (ar) “Contractor” means, with respect to an entity, a person, or that
18 person’s agent, who provides services to the entity under an express or implied
19 contract or subcontract, including a person who has staff privileges at the entity.

20 **SECTION 1159p.** 48.685 (1) (av) of the statutes is created to read:

21 48.685 **(1)** (av) “Direct contact” means face-to-face physical proximity to a
22 client that affords the opportunity to commit abuse or neglect of a client or to
23 misappropriate the property of a client.

24 **SECTION 1159r.** 48.685 (1) (b) of the statutes is amended to read:

1 48.685 (1) (b) “Entity” means a child welfare agency that is licensed under s.
2 48.60 to provide care and maintenance for children, to place children for adoption or
3 to license foster homes or treatment foster homes; a foster home or treatment foster
4 home that is licensed under s. 48.62; a group home that is licensed under s. 48.625;
5 a shelter care facility that is licensed under s. 938.22; a day care center that is
6 licensed under s. 48.65 or established or contracted for under s. 120.13 (14); ~~or a day~~
7 care provider that is certified under s. 48.651; or a temporary employment agency
8 that provides caregivers to another entity.”.

9 **711.** Page 652, line 4: after that line insert:

10 “**SECTION 1160e.** 48.685 (1) (bm) of the statutes is created to read:

11 48.685 (1) (bm) “Nonclient resident” means a person who resides, or is expected
12 to reside, at an entity, who is not a client of the entity and who has, or is expected to
13 have, regular, direct contact with clients of the entity.

14 **SECTION 1160em.** 48.685 (1) (br) of the statutes is created to read:

15 48.685 (1) (br) “Reservation” means land in this state within the boundaries
16 of a reservation of a tribe or within the bureau of Indian affairs service area for the
17 Ho–Chunk Nation.

18 **SECTION 1160f.** 48.685 (1) (c) of the statutes is repealed and recreated to read:

19 48.685 (1) (c) “Serious crime” means a violation of s. 940.01, 940.02, 940.03,
20 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3),
21 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055,
22 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or
23 a violation of the law of any other state or United States jurisdiction that would be
24 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),

940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),
948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.”.

712. Page 652, line 8: after that line insert:

“**SECTION 1160gm.** 48.685 (1) (e) of the statutes is created to read:

48.685 (1) (e) “Tribe” means a federally recognized American Indian tribe or
band in this state.”.

713. Page 652, line 9: delete lines 9 to 16 and substitute:

“**SECTION 1161d.** 48.685 (2) (a) (intro.) of the statutes is renumbered 48.685
(4m) (a) (intro.).

SECTION 1161g. 48.685 (2) (a) 1. of the statutes is renumbered 48.685 (4m) (a)
1.

SECTION 1161h. 48.685 (2) (a) 2. of the statutes is repealed.

SECTION 1161i. 48.685 (2) (a) 3. of the statutes is renumbered 48.685 (4m) (a)
3.

SECTION 1161j. 48.685 (2) (a) 4. of the statutes is renumbered 48.685 (4m) (a)
4.

SECTION 1161k. 48.685 (2) (a) 5. of the statutes is renumbered 48.685 (4m) (a)
5.

SECTION 1161m. 48.685 (2) (ad) of the statutes is renumbered 48.685 (4m) (ad)
and amended to read:

48.685 (4m) (ad) The department, a county department or a child welfare
agency may license a foster home or treatment foster home under s. 48.62, a county
department may certify a day care provider under s. 48.651 and a school board may

1 contract with a person under s. 120.13 (14), conditioned on the receipt of the
2 information specified in ~~par. sub. (2)~~ (am) indicating that the person is not ineligible
3 to be licensed, certified or contracted with for a reason specified in par. (a) 1. to 5.

4 **SECTION 1163d.** 48.685 (2) (ag) (intro.) of the statutes is renumbered 48.685
5 (4m) (b) (intro.) and amended to read:

6 48.685 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in
7 sub. (5), an entity may not hire or contract with a ~~person who will be under the~~
8 ~~entity's control, as defined by the department by rule, and who is expected to have~~
9 ~~access to its clients, caregiver or permit a nonclient resident~~ to reside at the entity
10 ~~a person who is not a client and who is expected to have access to a client~~, if the entity
11 knows or should have known any of the following:

12 **SECTION 1163g.** 48.685 (2) (ag) 1. of the statutes is renumbered 48.685 (4m) (b)
13 1. and amended to read:

14 48.685 **(4m)** (b) 1. That the person has been convicted of a serious crime or, if
15 the person is an ~~employee, prospective employee, contractor, prospective contractor,~~
16 ~~nonclient resident or prospective~~ a caregiver or nonclient resident of a day care
17 center that is licensed under s. 48.65 or established or contracted for under s. 120.13
18 (14) or of a day care provider that is certified under s. 48.651, that the person has been
19 convicted of a serious crime or adjudicated delinquent on or after his or her 12th
20 birthday for committing a serious crime.

21 **SECTION 1163h.** 48.685 (2) (ag) 2. of the statutes is repealed.

22 **SECTION 1163i.** 48.685 (2) (ag) 3. of the statutes is renumbered 48.685 (4m) (b)
23 3.

24 **SECTION 1163j.** 48.685 (2) (ag) 4. of the statutes is renumbered 48.685 (4m) (b)
25 4.

1 **SECTION 1163k.** 48.685 (2) (ag) 5. of the statutes is renumbered 48.685 (4m) (b)
2 5.

3 **SECTION 1165d.** 48.685 (2) (am) (intro.) of the statutes is amended to read:

4 48.685 **(2)** (am) (intro.) Subject to subd. 5. and par. (bd), the The department,
5 a county department, a child welfare agency or a school board shall obtain all of the
6 following with respect to a ~~person specified under par. (a) (intro.) and a person~~
7 ~~specified under par. (ag) (intro.) who is a nonclient resident or prospective caregiver~~
8 specified in sub. (1) (ag) 1. b., a nonclient resident of an entity and shall obtain the
9 ~~information specified in subds. 1. to 5. with respect to a person specified in par. (ag)~~
10 ~~(intro.) who is under 18 years of age, but not under 12 years of age, and who is an~~
11 ~~employee, prospective employee, contractor, prospective contractor, nonclient resident~~
12 ~~or prospective nonclient resident~~ a caregiver of a day care center that is licensed
13 under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care
14 provider that is certified under s. 48.651:

15 **SECTION 1165g.** 48.685 (2) (am) 5. of the statutes is amended to read:

16 48.685 **(2)** (am) 5. Information maintained by the department under this
17 section and under ss. 48.651 (2m), 48.75 (1m) and 120.13 (14) regarding any denial
18 to the person of a license, continuation or renewal of a license, certification or a
19 contract to operate an entity for a reason specified in par. sub. (4m) (a) 1. to 5. and
20 regarding any denial to the person of employment at, a contract with or permission
21 to reside at an entity for a reason specified in par. ~~(ag)~~ sub. (4m) (b) 1. to 5. If the
22 information obtained under this subdivision indicates that the person has been
23 denied a license, continuation or renewal of a license, certification, a contract,
24 employment or permission to reside as described in this subdivision, the department,

1 a county department, a child welfare agency or a school board need not obtain the
2 information specified in subds. 1. to 4.

3 **SECTION 1167d.** 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

4 48.685 (2) (b) 1. (intro.) ~~Subject to subds. 1. e. and 2., and 4. par. (bd), every~~
5 Every entity shall obtain all of the following with respect to a ~~person specified under~~
6 ~~par. (ag) (intro.) who is an employe, prospective employe, contractor or prospective~~
7 ~~contractor~~ caregiver of the entity:

8 **SECTION 1167g.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

9 48.685 (2) (b) 1. e. Information maintained by the department under this
10 section and under ss. 48.651 (2m), 48.75 (1m) and 120.13 (14) regarding any denial
11 to the person of a license, continuation or renewal of a license, certification or a
12 contract to operate an entity for a reason specified in ~~par. sub. (4m)~~ (a) 1. to 5. and
13 regarding any denial to the person of employment at, a contract with or permission
14 to reside at an entity for a reason specified in ~~par. (ag) sub. (4m) (b)~~ 1. to 5. If the
15 information obtained under this subd. 1. e. indicates that the person has been denied
16 a license, continuation or renewal of a license, certification, a contract, employment
17 or permission to reside as described in this subd. 1. e., the entity need not obtain the
18 information specified in subd. 1. a. to d.

19 **SECTION 1168d.** 48.685 (2) (b) 2. of the statutes is repealed.

20 **SECTION 1168g.** 48.685 (2) (b) 4. of the statutes is amended to read:

21 48.685 (2) (b) 4. Subdivision 1. does not apply with respect to a person under
22 18 years of age, but not under 12 years of age, who is ~~an employe, prospective~~
23 ~~employe, contractor, prospective contractor, nonclient resident or prospective a~~
24 caregiver or nonclient resident of a day care center that is licensed under s. 48.65 or
25 established or contracted for under s. 120.13 (14) or of a day care provider that is

1 certified under s. 48.651 and with respect to whom the department, a county
2 department or a school board is required under par. (am) (intro.) to obtain the
3 information specified in par. (am) 1. to 5.

4 **SECTION 1169p.** 48.685 (2) (bb) of the statutes is created to read:

5 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
6 charge of a serious crime, but does not completely and clearly indicate the final
7 disposition of the charge, the department, county department, child welfare agency,
8 school board or entity shall make every reasonable effort to contact the clerk of courts
9 to determine the final disposition of the charge. If a background information form
10 under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but
11 information obtained under par. (am) or (b) 1. does not indicate such a charge or
12 conviction, the department, county department, child welfare agency, school board
13 or entity shall make every reasonable effort to contact the clerk of courts to obtain
14 a copy of the criminal complaint and the final disposition of the complaint. If
15 information obtained under par. (am) or (b) 1., a background information form under
16 sub. (6) (a) or (am) or any other information indicates a conviction of a violation of
17 s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 or 947.013 obtained not more
18 than 5 years before the date on which that information was obtained, the
19 department, county department, child welfare agency, school board or entity shall
20 make every reasonable effort to contact the clerk of courts to obtain a copy of the
21 criminal complaint and judgment of conviction relating to that violation.

22 **SECTION 1170d.** 48.685 (2) (bd) of the statutes is amended to read:

23 48.685 (2) (bd) Notwithstanding pars. (am) and (b) 1., the department, a county
24 department, a child welfare agency or a school board is not required to obtain the
25 information specified in par. (am) 1. to 5., and an entity is not required to obtain the

1 information specified in par. (b) 1. a. to e., with respect to a person under 18 years
2 of age whose background information form under sub. (6) (am) indicates that the
3 person is not ineligible to be employed, contracted with or permitted to reside at an
4 entity for a reason specified in ~~par. (ag)~~ sub. (4m) (b) 1. to 5. and with respect to whom
5 the department, county department, child welfare agency, school board or entity
6 otherwise has no reason to believe that the person is ineligible to be employed,
7 contracted with or permitted to reside at an entity for any of those reasons. This
8 paragraph does not preclude the department, a county department, a child welfare
9 agency or a school board from obtaining, at its discretion, the information specified
10 in par. (am) 1. to 5. with respect to a person described in this paragraph who is a
11 nonclient resident or a prospective nonclient resident of an entity.

12 **SECTION 1170m.** 48.685 (2) (bg) of the statutes is amended to read:

13 48.685 (2) (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with~~
14 ~~respect to an employe, prospective employe, contractor or prospective contractor~~
15 hires or contracts with a caregiver for whom, within the last 4 years, the information
16 required under par. (b) 1. a. to c. and e. has already been obtained, ~~either by another~~
17 ~~entity or by a temporary employment agency,~~ the entity may obtain the that
18 ~~information required under par. (b) 1. a. to c. and e. from that other entity or~~
19 ~~temporary employment agency,~~ which shall provide the information, if possible, to
20 the requesting entity. If an entity cannot obtain the information required under par.
21 (b) 1. a. to c. and e. from another entity ~~or from a temporary employment agency or~~
22 if an entity has reasonable grounds to believe that any information obtained from
23 another entity ~~or from a temporary employment agency~~ is no longer accurate, the
24 entity shall obtain that information from the sources specified in par. (b) 1. a. to c.
25 and e.

1 **SECTION 1170n.** 48.685 (2) (bg) of the statutes, as affected by 1999 Wisconsin
2 Act (this act), is amended to read:

3 48.685 (2) (bg) If an entity ~~hires~~ employs or contracts with a caregiver for
4 whom, within the last 4 years, the information required under par. (b) 1. a. to c. and
5 e. has already been obtained by another entity, the entity may obtain that
6 information from that other entity, which shall provide the information, if possible,
7 to the requesting entity. If an entity cannot obtain the information required under
8 par. (b) 1. a. to c. and e. from another entity or if an entity has reasonable grounds
9 to believe that any information obtained from another entity is no longer accurate,
10 the entity shall obtain that information from the sources specified in par. (b) 1. a. to
11 c. and e.

12 **SECTION 1171d.** 48.685 (2) (bm) of the statutes is amended to read:

13 48.685 (2) (bm) If the person who is the subject of the search under par. (am)
14 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding
15 the date of the search that person has not been a resident of this state, or if the
16 department, county department, child welfare agency, school board or entity
17 determines that the person's employment, licensing or state court records provide a
18 reasonable basis for further investigation, the department, county department, child
19 welfare agency, school board or entity shall make a good faith effort to obtain from
20 any state or other United States jurisdiction in which the person is a resident or was
21 a resident within the 3 years preceding the date of the search information that is
22 equivalent to the information specified in par. (am) 1. or (b) 1. a. The department,
23 county department, child welfare agency, school board or entity may require the
24 person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the
25 person's fingerprints. The department of justice may provide for the submission of

1 the fingerprint cards to the federal bureau of investigation for the purposes of
2 verifying the identity of the person fingerprinted and obtaining records of his or her
3 criminal arrests and convictions.

4 **SECTION 1171g.** 48.685 (2) (c) of the statutes is renumbered 48.685 (4m) (c) and
5 amended to read:

6 48.685 **(4m)** (c) If the background information form completed by a person
7 under sub. (6) (am) indicates that the person is not ineligible to be employed or
8 contracted with for a reason specified in par. (ag) (b) 1. to 5., an entity may employ
9 or contract with the person for not more than 60 days pending the receipt of the
10 information sought under par. sub. (2) (am) 1. to 5. or (b) 1. If the background
11 information form completed by a person under sub. (6) (am) indicates that the person
12 is not ineligible to be permitted to reside at an entity for a reason specified in par. (ag)
13 (b) 1. to 5. and if an entity otherwise has no reason to believe that the person is
14 ineligible to be permitted to reside at an entity for any of those reasons, the entity
15 may permit the person to reside at the entity for not more than 60 days pending
16 receipt of the information sought under par. sub. (2) (am). An entity shall provide
17 supervision for a person who is employed, contracted with or permitted to reside as
18 permitted under this paragraph.

19 **SECTION 1171j.** 48.685 (2) (d) of the statutes is created to read:

20 48.685 **(2)** (d) Every entity shall maintain, or shall contract with another
21 person to maintain, the most recent background information obtained on a caregiver
22 under par. (b). The information shall be made available for inspection by authorized
23 persons, as defined by the department by rule.

24 **SECTION 1172d.** 48.685 (3) (a) of the statutes is amended to read:

1 48.685 (3) (a) Every 4 years or at any time within that period that the
2 department, a county department, a child welfare agency or a school board considers
3 appropriate, the department, county department, child welfare agency or school
4 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
5 who are licensed, certified or contracted to operate an entity and, for all persons
6 ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an entity and shall
7 ~~request the information specified in sub. (2) (am) 1. to 5.~~ for all persons under 18
8 years of age, but not under 12 years of age, who are ~~employees, contractors or~~
9 ~~nonclient residents~~ caregivers of a day care center that is licensed under s. 48.65 or
10 established or contracted for under s. 120.13 (4) or of a day care provider that is
11 certified under s. 48.651.

12 **SECTION 1172g.** 48.685 (3) (b) of the statutes is amended to read:

13 48.685 (3) (b) Every 4 years or at any time within that period that an entity
14 considers appropriate, the entity shall request the information specified in sub. (2)
15 (b) 1. a. to e. for all persons ~~specified in sub. (2) (ag) (intro.)~~ ~~employees or contractors~~
16 who are caregivers of the entity other than persons ~~who are~~ under 18 years of age,
17 but not under 12 years of age and, who are ~~employees, contractors or nonclient~~
18 ~~residents~~ caregivers of a day care center that is licensed under s. 48.65 or established
19 or contracted for under s. 120.13 (14) or of a day care provider that is certified under
20 s. 48.651.

21 **SECTION 1173d.** 48.685 (3m) of the statutes is amended to read:

22 48.685 (3m) Notwithstanding subs. (2) (b) 1. and (3) (b), if the department, a
23 county department, a child welfare agency or a school board has obtained the
24 information required under sub. (2) (am) or (3) (a) with respect to a person ~~specified~~
25 ~~in sub. (2) (a) (intro.)~~ who is a caregiver specified in sub. (1) (ag) 1. b. and that person

1 is also an employee, contractor or nonclient resident of an entity, the entity is not
2 required to obtain the information specified in sub. (2) (b) 1. or (3) (b) with respect
3 to that person.

4 **SECTION 1173g.** 48.685 (4) of the statutes is amended to read:

5 48.685 (4) An entity that violates sub. (2) ~~or~~ (3) or (4m) (b) may be required to
6 forfeit not more than \$1,000 and may be subject to other sanctions specified by the
7 department by rule.

8 **SECTION 1173j.** 48.685 (4m) (b) (intro.) of the statutes, as affected by 1999
9 Wisconsin Act (this act), is amended to read:

10 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
11 sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit a
12 nonclient resident to reside at the entity, if the entity knows or should have known
13 any of the following:

14 **SECTION 1174d.** 48.685 (5) (a) of the statutes is amended to read:

15 48.685 (5) (a) The department may license to operate an entity, a county
16 department may certify under s. 48.651, a county department or a child welfare
17 agency may license under s. 48.62 and a school board may contract with under s.
18 120.13 (14) a person who otherwise may not be licensed, certified or contracted with
19 for a reason specified in sub. (2) ~~(4m)~~ (a) 1. to 5., and an entity may employ, contract
20 with or permit to reside at the entity a person who otherwise may not be employed,
21 contracted with or permitted to reside at the entity for a reason specified in sub. (2)
22 ~~(ag)~~ (4m) (b) 1. to 5., if the person demonstrates to the department, the county
23 department, the child welfare agency or the school board or, in the case of an entity
24 that is located within the boundaries of a reservation, to the person or body
25 designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and

1 in accordance with procedures established by the department by rule or by the tribe
2 that he or she has been rehabilitated.

3 **SECTION 1174g.** 48.685 (5) (b) of the statutes is repealed.

4 **SECTION 1175m.** 48.685 (5d) of the statutes is created to read:

5 48.685 (5d) (a) Any tribe that chooses to conduct rehabilitation reviews under
6 sub. (5) shall submit to the department a rehabilitation review plan that includes all
7 of the following:

8 1. The criteria to be used to determine if a person has been rehabilitated.

9 2. The title of the person or body designated by the tribe to whom a request for
10 review must be made.

11 3. The title of the person or body designated by the tribe to determine whether
12 a person has been rehabilitated.

13 3m. The title of the person or body, designated by the tribe, to whom a person
14 may appeal an adverse decision made by the person specified under subd. 3. and
15 whether the tribe provides any further rights to appeal.

16 4. The manner in which the tribe will submit information relating to a
17 rehabilitation review to the department so that the department may include that
18 information in its report to the legislature required under sub. (5g).

19 5. A copy of the form to be used to request a review and a copy of the form on
20 which a written decision is to be made regarding whether a person has demonstrated
21 rehabilitation.

22 (b) If, within 90 days after receiving the plan, the department does not
23 disapprove the plan, the plan shall be considered approved. If, within 90 days after
24 receiving the plan, the department disapproves the plan, the department shall
25 provide notice of that disapproval to the tribe in writing, together with the reasons

1 for the disapproval. The department may not disapprove a plan unless the
2 department finds that the plan is not rationally related to the protection of clients.
3 If the department disapproves the plan, the tribe may, within 30 days after receiving
4 notice of the disapproval, request that the secretary review the department's
5 decision. A final decision under this paragraph is not subject to further review under
6 ch. 227.

7 **SECTION 1176d.** 48.685 (5m) of the statutes is amended to read:

8 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license
9 a person to operate an entity, a county department or a child welfare agency may
10 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
11 may refuse to employ, hire or contract with a caregiver or permit a nonclient resident
12 to reside at the entity a person specified in sub. (2) (ag) (intro.) if the person has been
13 convicted of an offense that ~~the department has not defined as a "serious crime" by~~
14 ~~rule promulgated under sub. (7) (a), or specified in the list established by rule under~~
15 ~~sub. (7) (b) is not a serious crime~~, but that is, in the estimation of the department,
16 county department, child welfare agency, or entity, substantially related to the care
17 of a client. Notwithstanding s. 111.335, the department may refuse to license a
18 person to operate a day care center, a county department may refuse to certify a day
19 care provider under s. 48.651, a school board may refuse to contract with a person
20 under s. 120.13 (14), a day care center that is licensed under s. 48.65 or established
21 or contracted for under s. 120.13 (14) and a day care provider that is certified under
22 s. 48.651 may refuse to employ, hire or contract with a caregiver or permit a nonclient
23 resident to reside at the day care center or day care provider ~~a person specified in sub.~~
24 ~~(2) (ag) (intro.)~~ if the person has been convicted of or adjudicated delinquent on or
25 after his or her 12th birthday for an offense that ~~the department has not defined as~~

1 a “serious crime” by rule promulgated under sub. (7) (a), or specified in the list
2 established by rule under sub. (7) (b) is not a serious crime, but that is, in the
3 estimation of the department, county department, school board, day care center or
4 day care provider, substantially related to the care of a client.

5 **SECTION 1176g.** 48.685 (5m) of the statutes, as affected by 1999 Wisconsin Act
6 (this act), is amended to read:

7 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license
8 a person to operate an entity, a county department or a child welfare agency may
9 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
10 may refuse to hire employ or contract with a caregiver or permit a nonclient resident
11 to reside at the entity if the person has been convicted of an offense that is not a
12 serious crime, but that is, in the estimation of the department, county department,
13 child welfare agency or entity, substantially related to the care of a client.
14 Notwithstanding s. 111.335, the department may refuse to license a person to
15 operate a day care center, a county department may refuse to certify a day care
16 provider under s. 48.651, a school board may refuse to contract with a person under
17 s. 120.13 (14), a day care center that is licensed under s. 48.65 or established or
18 contracted for under s. 120.13 (14) and a day care provider that is certified under s.
19 48.651 may refuse to hire employ or contract with a caregiver or permit a nonclient
20 resident to reside at the day care center or day care provider if the person has been
21 convicted of or adjudicated delinquent on or after his or her 12th birthday for an
22 offense that is not a serious crime, but that is, in the estimation of the department,
23 county department, school board, day care center or day care provider, substantially
24 related to the care of a client.

1 **SECTION 1177r.** 48.685 (6) (am) (intro.) of the statutes is renumbered 48.685
2 (6) (am) and amended to read:

3 48.685 **(6)** (am) Every 4 years an entity shall require all of the following persons
4 its caregivers and nonclient residents to complete a background information form
5 that is provided to the entity by the department.

6 **SECTION 1178d.** 48.685 (6) (am) 1. of the statutes is repealed.

7 **SECTION 1178g.** 48.685 (6) (am) 2. of the statutes is repealed.

8 **SECTION 1179d.** 48.685 (6) (b) of the statutes is renumbered 48.685 (6) (b) 1.
9 and amended to read:

10 48.685 **(6)** (b) 1. For persons specified under par. (a) caregivers who are licensed
11 by the department, for persons specified in par. (am) 1. who are under 18 years of age,
12 but not under 12 years of age, and who are employes, prospective employes,
13 contractors or prospective contractors caregivers of a day care center that is licensed
14 under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care
15 provider that is certified under s. 48.651, for persons specified in par. (am) 2. who are
16 nonclient residents or prospective nonclient residents of an entity that is licensed by
17 the department, and for other persons specified by the department by rule, the entity
18 shall send the background information form to the department.

19 2. For persons specified under par. (a) caregivers who are licensed or certified
20 by a county department, for persons specified in par. (am) 2. who are nonclient
21 residents or prospective nonclient residents of an entity that is licensed or certified
22 by a county department and for other persons specified by the department by rule,
23 the entity shall send the background information form to the county department.

24 3. For persons specified under par. (a) caregivers who are licensed by a child
25 welfare agency, for persons specified in par. (am) 2. who are nonclient residents or

1 prospective nonclient residents of an entity that is licensed by a child welfare agency
2 and for other persons specified by the department by rule, the entity shall send the
3 background information form to the child welfare agency

4 ~~4. For persons specified under par. (a) caregivers who are contracted with by~~
5 ~~a school board, for persons specified in par. (am) 2. who are nonclient residents or~~
6 ~~prospective nonclient residents of an entity that is contracted with by a school board~~
7 ~~and for other persons specified by the department by rule, the entity shall send the~~
8 ~~background information form to the school board. For all other persons specified~~
9 ~~under par. (am) 1., the entity shall maintain the background information form on file~~
10 ~~for inspection by the department, county department, child welfare agency or school~~
11 ~~board, whichever is applicable.~~

12 **SECTION 1180g.** 48.685 (7) (a) of the statutes is repealed.

13 **SECTION 1180h.** 48.685 (7) (b) of the statutes is repealed.”.

14 **714.** Page 652, line 24: after that line insert:

15 “**SECTION 1182d.** 48.69 of the statutes is amended to read:

16 **48.69 Probationary licenses.** Except as provided under s. 48.715 (6) and (7),
17 if any child welfare agency, shelter care facility, group home or day care center that
18 has not been previously issued a license under s. 48.66 (1) (a) applies for a license,
19 meets the minimum requirements for a license established under s. 48.67 and pays
20 the applicable fee referred to in s. 48.68 (1), the department shall issue a
21 probationary license to that child welfare agency, shelter care facility, group home
22 or day care center. A probationary license is valid for up to 6 months after the date
23 of issuance unless renewed under this section or suspended or revoked under s.
24 48.715. Before a probationary license expires, the department shall inspect the child

1 welfare agency, shelter care facility, group home or day care center holding the
2 probationary license and, except as provided under s. 48.715 (6) and (7), if the child
3 welfare agency, shelter care facility, group home or day care center meets the
4 minimum requirements for a license established under s. 48.67, the department
5 shall issue a license under s. 48.66 (1) (a). A probationary license issued under this
6 section may be renewed for one 6-month period.

7 **SECTION 1183d.** 48.715 (1) of the statutes is amended to read:

8 48.715 (1) In this section, “licensee” means a person who holds a license under
9 s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare
10 agency, shelter care facility, group home or day care center.

11 **SECTION 1184d.** 48.715 (2) (a) of the statutes is amended to read:

12 48.715 (2) (a) That a person stop operating a child welfare agency, shelter care
13 facility, group home or day care center if the child welfare agency, shelter care facility,
14 group home or day care center is without a license in violation of s. 48.66 (1) (a) or
15 a probationary license in violation of s. 48.69.

16 **SECTION 1185d.** 48.715 (2) (b) of the statutes is amended to read:

17 48.715 (2) (b) That a person who employs a person who has had a license under
18 s. 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous
19 5 years terminate the employment of that person within 30 days after the date of the
20 order. This paragraph includes employment of a person in any capacity, whether as
21 an officer, director, agent or employee.

22 **SECTION 1186d.** 48.715 (4) (intro.) of the statutes is amended to read:

23 48.715 (4) (intro.) If the department provides written notice of revocation and
24 the grounds for revocation as provided in sub. (4m) and an explanation of the process
25 for appealing a revocation under this subsection, the department may revoke a

1 license issued under s. 48.66 (1) (a) or a probationary license issued under s. 48.69
2 for any of the following reasons:

3 **SECTION 1187d.** 48.715 (5) of the statutes is amended to read:

4 48.715 (5) The department may deny a license under s. 48.66 (1) (a) or a
5 probationary license under s. 48.69 to any person who has had a license under s.
6 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous 5
7 years.

8 **SECTION 1188d.** 48.715 (6) of the statutes is amended to read:

9 48.715 (6) The department of health and family services shall deny, suspend,
10 restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (a) or a
11 probationary license under s. 48.69 to operate a child welfare agency, group home,
12 shelter care facility or day care center, and the department of corrections shall deny,
13 suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1)
14 (b) to operate a secured child caring institution, for failure of the applicant or licensee
15 to pay court-ordered payments of child or family support, maintenance, birth
16 expenses, medical expenses or other expenses related to the support of a child or
17 former spouse or for failure of the applicant or licensee to comply, after appropriate
18 notice, with a subpoena or warrant issued by the department of workforce
19 development or a county child support agency under s. 59.53 (5) and related to
20 paternity or child support proceedings, as provided in a memorandum of
21 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
22 taken under this subsection is subject to review only as provided in the memorandum
23 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

24 **SECTION 1189d.** 48.715 (7) of the statutes is amended to read:

1 48.715 (7) The department shall deny an application for the issuance or
2 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69
3 to operate a child welfare agency, group home, shelter care facility or day care center,
4 or revoke such a license already issued, if the department of revenue certifies under
5 s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action
6 taken under this subsection is subject to review only as provided under s. 73.0301 (5)
7 and not as provided in s. 48.72.”.

8 **715.** Page 653, line 3: after that line insert:

9 “**SECTION 1189r.** 48.75 (1m) of the statutes is amended to read:

10 48.75 (1m) Each child welfare agency and public licensing agency shall provide
11 the subunit of the department that administers s. 48.685 with information about
12 each person who is denied a license for a reason specified in s. 48.685 (2) (4m) (a) 1.
13 to 5.”.

14 **716.** Page 654, line 25: after that line insert:

15 “**SECTION 1195m.** 48.981 (7) (b) of the statutes is amended to read:

16 48.981 (7) (b) Notwithstanding par. (a), either parent of a child may authorize
17 the disclosure of a record for use in a child custody proceeding under s. 767.24 or
18 767.325 or in an adoption proceeding under s. 48.833 (1), 48.835, 48.837 or 48.839
19 when the child has been the subject of a report. Any information that would identify
20 a reporter shall be deleted before disclosure of a record under this paragraph.”.

21 **717.** Page 654, line 25: after that line insert:

22 “**SECTION 1192p.** 48.925 (1) (intro.) of the statutes is amended to read:

23 48.925 (1) (intro.) Upon petition by a relative who has maintained a
24 relationship similar to a parent–child relationship with a child who has been adopted

1 by a stepparent or relative, the court, subject to subs. (1m) and (2). may grant
2 reasonable visitation rights to that person if the petitioner has maintained such a
3 relationship within 2 years prior to the filing of the petition, if the adoptive parent
4 or parents, or, if a birth parent is the spouse of an adoptive parent, the adoptive
5 parent and birth parent, have notice of the hearing and if the court determines all
6 of the following:

7 **SECTION 1192r.** 48.925 (1m) of the statutes is created to read:

8 48.925 **(1m)** (a) Except as provided in par. (b), the court may not grant
9 visitation rights under sub. (1) to a relative who has maintained a relationship
10 similar to a parent–child relationship with a child if the relative has been convicted
11 under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the
12 2nd–degree intentional homicide, of a parent of the child, and the conviction has not
13 been reversed, set aside or vacated.

14 (am) Except as provided in par. (b), if a relative who is granted visitation rights
15 with a child under sub. (1) is convicted under s. 940.01 of the first–degree intentional
16 homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of
17 the child, and the conviction has not been reversed, set aside or vacated, the court
18 shall issue an order prohibiting the relative from having visitation with the child on
19 petition of the child or the parent, guardian or legal custodian of the child, or on the
20 court’s own motion, and on notice to the relative.

21 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
22 convincing evidence that the visitation would be in the best interests of the child.
23 The court shall consider the wishes of the child in making that determination.”.

24 **718.** Page 655, line 23: after that line insert:

1 **“SECTION 1201t.** 49.015 (1m) (b) 5. of the statutes is created to read:

2 49.015 **(1m)** (b) 5. The individual has infectious tuberculosis, as defined in s.
3 252.07 (1g) (a), or suspect tuberculosis, as defined in s. 252.07 (1g) (d).”.

4 **719.** Page 657, line 5: after that line insert:

5 **“SECTION 1207m.** 49.08 of the statutes is amended to read:

6 **49.08 Recovery of relief and other assistance.** If any person is the owner
7 of property at the time of receiving general relief under ch. 49, 1993 stats., relief
8 funded by a relief block grant or other assistance as an inmate of any county or
9 municipal institution in which the state is not chargeable with all or a part of the
10 inmate’s maintenance or as a tuberculosis patient provided for in ss. ~~58.06~~ and
11 252.07 to 252.10, or at any time thereafter, or if the person becomes self-supporting,
12 the authorities charged with the care of the dependent, or the board in charge of the
13 institution, may sue for the value of the relief or other assistance from the person or
14 the person’s estate. Except as otherwise provided in this section, the 10-year statute
15 of limitations may be pleaded in defense in an action to recover relief or other
16 assistance. Where the recipient of relief or other assistance is deceased, a claim may
17 be filed against the decedent’s estate and the statute of limitations specified in s.
18 859.02 shall be exclusively applicable. The court may refuse to render judgment or
19 allow the claim in any case where a parent, spouse, surviving spouse or child is
20 dependent on the property for support. The court in rendering judgment shall take
21 into account the current family budget requirement as fixed by the U.S. department
22 of labor for the community or as fixed by the authorities of the community in charge
23 of public assistance. The records kept by the municipality, county or institution are
24 prima facie evidence of the value of the relief or other assistance furnished. This

1 ~~section shall not apply to any person who receives care for pulmonary tuberculosis~~
2 ~~as provided in s. 252.08 (4).".~~

3 **720.** Page 661, line 5: delete "budgeting".

4 **721.** Page 661, line 6: delete that line and substitute "credit establishment
5 and credit repair".

6 **722.** Page 661, line 7: delete "assistance training" and substitute
7 "assistance".

8 **723.** Page 662, line 7: after that line insert:

9 "SECTION 1222g. 49.143 (2) (es) of the statutes is created to read:

10 49.143 (2) (es) Provide to every individual who requests assistance from the
11 Wisconsin works agency a single–page description of all of the benefits and services
12 that may be provided to any individual by the Wisconsin works agency. The
13 department shall develop the description and distribute it to all Wisconsin works
14 agencies. The department shall update the description as frequently as necessary
15 to reflect all benefits and services that may be offered by Wisconsin works agencies.".

16 **724.** Page 663, line 25: delete that line.

17 **725.** Page 664, line 1: delete lines 1 to 6.

18 **726.** Page 664, line 6: after that line insert:

19 "SECTION 1226v. 49.145 (3) (b) 1. of the statutes is amended to read:

20 49.145 (3) (b) 1. All earned and unearned income of the individual, except any
21 amount received under section 32 of the internal revenue code, as defined in s. 71.01
22 (6), any amount received under s. 71.07 (9e), any payment made by an employer
23 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any
24 assistance received under s. 49.148. In determining the earned and unearned

1 income of the individual, the Wisconsin works agency may not include income earned
2 by a dependent child of the individual.”.

3 **727.** Page 666, line 15: after “(av)” insert “and sub. (5m)”.

4 **728.** Page 668, line 4: after that line insert:

5 “**SECTION 1229qc.** 49.147 (6) (a) 2. of the statutes is amended to read:

6 49.147 **(6)** (a) 2. The individual needs the loan to obtain or continue
7 employment. Fulfillment of this requirement includes a loan that is needed to repair
8 or purchase a vehicle that is needed to obtain or continue employment.”.

9 **729.** Page 668, line 4: after that line insert:

10 “**SECTION 1233g.** 49.147 (5) (bs) of the statutes is amended to read:

11 49.147 **(5)** (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),
12 a Wisconsin works agency may require a participant placed in a transitional
13 placement to engage in activities under par. (b) 1. for up to 28 hours per week. ~~A~~
14 Except as provided in sub. (5m), a Wisconsin works agency may require a participant
15 placed in a transitional placement to participate in education or training activities
16 under par. (bm) for not more than 12 hours per week.

17 **SECTION 1233m.** 49.147 (5m) of the statutes is created to read:

18 49.147 **(5m)** POSTSECONDARY EDUCATION. (a) To the extent permitted under 42
19 USC 607, and except as provided in par. (bL), a participant under sub. (4) (b) or (5)
20 may elect to participate in a self-initiated technical college education program as
21 part of a community service job placement or transitional placement if all of the
22 following requirements are met:

23 1. The Wisconsin works agency, in consultation with the community steering
24 committee established under s. 49.143 (2) (a) and the technical college district board,

1 determines that the technical college education program is likely to lead to
2 employment.

3 2. The participant maintains full-time status in the technical college education
4 program, as determined by the technical college that the participant attends, and
5 regularly attends all classes.

6 3. The participant maintains a grade point average of at least 2.0, or the
7 equivalent as determined by the technical college.

8 4. The participant is employed or engages in work under a community service
9 job or transitional placement.

10 (b) No Wisconsin works agency may require a participant under this subsection
11 to be employed or to engage in work or other activities under sub. (4) or (5) for more
12 than 25 hours per week in addition to participation under this subsection.

13 (bL) A participant may participate under this subsection for the duration of the
14 technical college education program, except that the participant may not participate
15 under this subsection for more than 2 years.

16 (c) The Wisconsin works agency shall work with the community steering
17 committee established under s. 49.143 (2) (a) and the technical college district board
18 to monitor the participant's progress in the technical college education program and
19 the effectiveness of the program in leading to employment.”.

20 **730.** Page 668, line 21: delete “or by the department under sub (2)”.

21 **731.** Page 669, line 21: after that line insert:

22 “**SECTION 1237f.** 49.148 (1) (b) 3. of the statutes is created to read:

23 49.148 (1) (b) 3. For a participant in a community service job who participates
24 in self-initiated technical college education under s. 49.147 (5m), a monthly grant

1 of \$673, paid by the Wisconsin works agency. For every hour that the participant
2 misses work or other required activities without good cause, the grant amount shall
3 be reduced by \$5.15. Good cause shall be determined by the financial and
4 employment planner in accordance with rules promulgated by the department. Good
5 cause shall include required court appearances for a victim of domestic abuse.

6 **SECTION 1237h.** 49.148 (1) (c) of the statutes is amended to read:

7 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
8 placement under s. 49.147 (5) or in a transitional placement and in self-initiated
9 technical college education under s. 49.147 (5m), a grant of \$628, paid monthly by
10 the Wisconsin works agency ~~or by the department under sub. (2).~~ For every hour that
11 the participant fails to participate in any required activity without good cause,
12 including any activity under s. 49.147 (5) (b) 1. a. to e., the grant amount shall be
13 reduced by \$5.15. Good cause shall be determined by the financial and employment
14 planner in accordance with rules promulgated by the department. Good cause shall
15 include required court appearances for a victim of domestic abuse.”.

16 **732.** Page 670, line 23: delete the material beginning with that line and
17 ending with page 671, line 5 and substitute:

18 **“SECTION 1237t.** 49.148 (2m) of the statutes is created to read:

19 49.148 (2m) PAY PERIOD. (a) Except as provided in par. (b), benefits under this
20 section shall be paid on the first day of each month. A payment made under this
21 paragraph shall be for any participation from the 26th day of the month immediately
22 preceding the month that immediately precedes the month in which the payment is
23 made through the 25th day of the month that immediately precedes the month in
24 which the payment is made.

1 (b) The Wisconsin works agency shall make the first grant payment under this
2 section 14 days after the participant begins participating under s. 49.147 (4).
3 Payments made under this paragraph shall include payment for all participation
4 through the date of the payment.”.

5 **733.** Page 673, line 7: delete that line and substitute:

6 “**SECTION 1250b.** 49.155 (1m) (a) 4. (intro.) of the statutes is renumbered 49.155
7 (1m) (a) 4. and amended to read:”.

8 **734.** Page 673, line 8: delete “(intro.)”.

9 **735.** Page 673, line 20: delete lines 20 to 24 and substitute “for up to two 2
10 years. An individual may not receive aid under this subdivision unless the
11 individual meets at least one of the following conditions:

12 **SECTION 1251b.** 49.155 (1m) (a) 4. a. of the statutes is repealed.

13 **SECTION 1251c.** 49.155 (1m) (a) 4. b. of the statutes is repealed.”.

14 **736.** Page 674, line 5: delete “years. An individual” and substitute “years.”.

15 **737.** Page 674, line 6: delete lines 6 to 10.

16 **738.** Page 677, line 1: delete “or 49.19”.

17 **739.** Page 677, line 11: delete “or 49.19”.

18 **740.** Page 680, line 12: after “following” insert “to any person who is eligible
19 for the federal temporary assistance to needy families program under 42 USC 601
20 et. seq.”.

21 **741.** Page 682, line 13: delete “\$2,779,800” and substitute “\$3,706,300”.

22 **742.** Page 682, line 14: delete “\$5,559,800” and substitute “\$7,413,100”.

23 **743.** Page 682, line 14: after that line insert:

1 “(cr) *Credit assistance*. For payments to Wisconsin works agencies in 1st class
2 cities for the provision of credit establishment and credit repair assistance to
3 Wisconsin works participants, not more than \$3,000,000 in each fiscal year.
4 Notwithstanding sub. (2), the department may not use any funds allocated under
5 this paragraph for any other purpose under this subsection.”.

6 **744.** Page 682, line 16: delete “\$3,706,300” and substitute “\$2,779,800”.

7 **745.** Page 682, line 16: delete “49.143 (3p)” and substitute “49.179”.

8 **746.** Page 682, line 17: delete “\$7,413,100” and substitute “\$5,559,800”.

9 **747.** Page 682, line 19: delete “\$27,844,700” and substitute “\$245,171,800”.

10 **748.** Page 682, line 21: delete “\$95,000,000” and substitute “\$102,000,000”.

11 **749.** Page 683, line 8: delete lines 8 and 9 and substitute:

12 “(j) *Funeral expenses*. For funeral expenses under s. 49.30, \$3,300,000 in fiscal
13 year 1999–2000 and \$3,925,100 in fiscal year 2000–01.”.

14 **750.** Page 683, line 10: delete lines 10 and 11.

15 **751.** Page 683, line 19: delete “\$159,330,000” and substitute “\$159,560,000”.

16 **752.** Page 683, line 19: delete “\$180,700,000” and substitute “\$181,050,000”.

17 **753.** Page 685, line 12: after “(3n)” insert “, (3o)”.

18 **754.** Page 685, line 12: delete “\$24,489,400” and substitute “\$24,530,100”.

19 **755.** Page 685, line 13: delete “\$26,109,800” and substitute “\$26,164,100”.

20 **756.** Page 686, line 6: after “46.93” insert “, 46.99”.

21 **757.** Page 686, line 12: after that line insert:

1 “10. ‘Community marriage policy project.’ For the community marriage policy
2 project under 1999 Wisconsin Act (this act), section 9123 (14g), \$45,000 in fiscal
3 year 1999–2000 and \$60,000 in each fiscal year thereafter.”.

4 **758.** Page 686, line 18: delete that line and substitute “moneys from the”.

5 **759.** Page 686, line 21: delete “\$58,000,000” and substitute “\$48,000,000”.

6 **760.** Page 686, line 24: delete “\$58,000,000” and substitute “\$51,000,000”.

7 **761.** Page 686, line 25: delete “\$61,000,000” and substitute “\$54,000,000”.

8 **762.** Page 688, line 2: after that line insert:

9 “**SECTION 1278t.** 49.175 (1) (ze) 10. of the statutes, as affected by 1999
10 Wisconsin Act (this act), is repealed.”.

11 **763.** Page 689, line 19: delete the material beginning with that line and
12 ending with page 690, line 22.

13 **764.** Page 693, line 2: delete “and” and substitute “. The department”.

14 **765.** Page 693, line 3: delete “or for” and substitute “if the person received the
15 overpayment under s. 49.141 to 49.161, and for”.

16 **766.** Page 693, line 7: after “subsection.” insert “The rules shall include
17 notification procedures similar to those established for child support collections. The
18 department may not recover overpayments made as a result of department error.”.

19 **767.** Page 693, line 24: delete “60” and substitute “90”.

20 **768.** Page 695, line 9: after that line insert:

21 “(h) If the department arranges a payment schedule with the debtor and the
22 debtor complies with the payment schedule, the department shall issue a notice of

1 withdrawal of the warrant to the clerk of circuit court for the county in which the
2 warrant is filed. The clerk shall void the warrant and the resulting liens.”.

3 **769.** Page 697, line 11: delete “No other action to”.

4 **770.** Page 697, line 12: delete lines 12 and 13.

5 **771.** Page 702, line 2: after that line insert:

6 “**SECTION 1346c.** 49.195 (3s) of the statutes is created to read:

7 49.195 **(3s)** The department shall specify by rule when requests for reviews,
8 hearings and appeals under this section may be made and the process to be used for
9 the reviews, hearings and appeals. In promulgating the rules, the department shall
10 provide for a hearing or review after a warrant under sub. (3m) has been issued and
11 before the warrant has been executed, before property is levied under sub. (3m) or
12 (3n) and after levied property is seized and before it is sold. The department shall
13 specify by rule the time limit for a request for review or hearing. The department
14 shall also specify by rule a minimum amount that must be due before collection
15 proceedings under this section may be commenced.”.

16 **772.** Page 703, line 12: after that line insert:

17 “**SECTION 1355w.** 49.30 (1) (b) of the statutes is amended to read:

18 49.30 **(1)** (b) The lesser of \$1,000 \$1,500 or the funeral and burial expenses not
19 paid by the estate of the deceased and other persons.”.

20 **SECTION 1355wb.** 49.30 (1) (b) of the statutes, as affected by 1999 Wisconsin
21 Act (this act), is amended to read:

22 49.30 **(1)** (b) The lesser of \$1,500 \$2,500 or the funeral and burial expenses not
23 paid by the estate of the deceased and other persons.”.

24 **773.** Page 707, line 23: after that line insert:

1 **“SECTION 1384g.** 49.45 (5r) of the statutes is created to read:

2 **49.45 (5r)** SUPPLEMENTAL PAYMENTS FOR HOSPITALS. From the appropriations
3 under s. 20.435 (4) (b) and (o), the department shall distribute not more than
4 \$2,451,000 in each fiscal year, beginning on July 1, 2000, as a supplemental payment
5 to a hospital for which medical assistance revenues were at least 8% of the hospital's
6 total revenues in the hospital's most recent fiscal year prior to the year of payment.
7 The department shall calculate a qualifying hospital's supplemental payment
8 amount by multiplying the total amount of medical assistance revenues of all
9 qualifying hospitals in their most recent prior fiscal years by the percentage obtained
10 by dividing the hospital's total medical assistance revenues in the hospital's most
11 recent prior fiscal year by the total amount of medical assistance revenues for all
12 qualifying hospitals for that period.”.

13 **774.** Page 716, line 21: after that line insert:

14 **“SECTION 1418m.** 49.45 (7) (a) of the statutes is amended to read:

15 **49.45 (7) (a)** A recipient who is a patient in a public medical institution or an
16 accommodated person and has a monthly income exceeding the payment rates
17 established under 42 USC 1382 (e) may retain \$40 \$45 unearned income or the
18 amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month
19 for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply
20 income in excess of \$40 \$45 or the amount of any pension paid under 38 USC 3203
21 (f), whichever is greater, less any amount deducted under rules promulgated by the
22 department, toward the cost of care in the facility.”.

23 **775.** Page 717, line 10: delete lines 10 to 15 and substitute “department shall
24 determine which medical assistance recipients who have attained the age of 2 but

1 have not attained the age of 6 and who are at risk for lead poisoning have not received
2 lead screening from those health maintenance organizations. The department shall
3 report annually to the appropriate standing committees of the legislature under s.
4 13.172 (3) on the percentage of medical assistance recipients under the age of 2 who
5 received a lead screening test in that year provided by a health maintenance
6 organization compared with the percentage that the department set as a goal for that
7 year.”.

8 **776.** Page 717, line 24: delete the material beginning with “School for” and
9 ending with “Handicapped” on line 25 and substitute “Center for the Blind and
10 Visually Impaired”.

11 **777.** Page 718, line 9: delete that line and substitute “behalf of the Wisconsin
12 Center for the Blind and Visually Impaired and the Wisconsin”.

13 **778.** Page 718, line 14: delete that line and substitute “pars. (b) and (c) to the
14 Wisconsin Center for the Blind and Visually Impaired and the”.

15 **779.** Page 718, line 16: after “is” insert “renumbered 49.45 (39) (b) 1. and”.

16 **780.** Page 718, line 17: delete “*Payment for school medical services*” and
17 substitute “1. ‘Payment for school medical services.’”.

18 **781.** Page 718, line 21: after “and” insert “, as specified in subd. 2.,”.

19 **782.** Page 718, line 22: delete that line and substitute “administrative costs.
20 If the Wisconsin Center for the Blind and Visually Impaired or the”.

21 **783.** Page 719, line 1: delete that line and substitute “medical services that
22 the Wisconsin Center for the Blind and Visually Impaired or the”.

1 **784.** Page 719, line 2: delete “for allowable administrative costs.” and
2 substitute “, as specified in subd. 2., for allowable administrative costs. A school
3 district, cooperative educational service agency, the Wisconsin Center for the Blind
4 and Visually Impaired or the Wisconsin School for the Deaf may submit, and the
5 department shall allow, claims for common carrier transportation costs as a school
6 medical service unless the department receives notice from the federal health care
7 financing administration that, under a change in federal policy, the claims are not
8 allowed. If the department receives the notice, a school district, cooperative
9 educational service agency, the Wisconsin Center for the Blind and Visually
10 Impaired or the Wisconsin School for the Deaf may submit, and the department shall
11 allow, unreimbursed claims for common carrier transportation costs incurred before
12 the date of the change in federal policy.”.

13 **785.** Page 719, line 8: delete “School for the Visually Handicapped” and
14 substitute “Center for the Blind and Visually Impaired”.

15 **786.** Page 719, line 11: after that line insert:

16 “**SECTION 1427j.** 49.45 (39) (b) 2. of the statutes is created to read:

17 49.45 **(39)** (b) 2. ‘Payment for school medical services administrative costs.’ The
18 department shall reimburse a school district or a cooperative educational service
19 agency specified under subd. 1. and shall reimburse the department of public
20 instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or
21 the Wisconsin School for the Deaf for 90% of the federal share of allowable
22 administrative costs, on a quarterly basis, using time studies, beginning in the first
23 quarter of fiscal year 1999–2000. A school district or a cooperative education service
24 agency may submit, and the department of health and family services shall allow,

1 claims for administrative costs incurred during the period that is up to 24 months
2 before the date of the claim, if allowable under federal law.”.

3 **787.** Page 722, line 10: after that line insert:

4 “**SECTION 1433tm.** 49.46 (1) (a) 6. of the statutes is amended to read:

5 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who is, without regard
6 to the individual's resources, would be considered, under federal law, to be receiving
7 aid to families with dependent children for the purpose of determining eligibility for
8 medical assistance.”.

9 **788.** Page 722, line 20: after that line insert:

10 “**SECTION 1433x.** 49.46 (1) (a) 16. of the statutes is amended to read:

11 49.46 (1) (a) 16. Any ~~child~~ person who is living with a relative who is eligible
12 to receive payments under s. 48.57 (3m) ~~or~~ (3n) or (3o) with respect to that ~~child~~
13 person, if the department determines that no other insurance is available to the ~~child~~
14 person.”.

15 **789.** Page 722, line 25: delete “(b) 17.”.

16 **790.** Page 723, line 2: delete “(b) 17.”.

17 **791.** Page 723, line 4: delete lines 4 to 8.

18 **792.** Page 723, line 13: delete lines 13 to 16.

19 **793.** Page 723, line 20: after that line insert:

20 “**SECTION 1437m.** 49.47 (4) (a) 1. of the statutes is amended to read:

21 49.47 (4) (a) 1. ~~Under 18~~ At least 19 years of age but under 21 years of age ~~or,~~
22 ~~if and~~ the person resides in an intermediate care facility, skilled nursing facility or
23 inpatient psychiatric hospital, ~~under 21 years of age.~~

24 **SECTION 1437n.** 49.47 (4) (a) 2. of the statutes is renumbered 49.47 (4) (ag) 2.

1 **SECTION 1437p.** 49.47 (4) (ag) (intro.) of the statutes is created to read:

2 49.47 **(4)** (ag) (intro.) Any individual who meets the limitations on income
3 under par. (c) and who complies with par. (cm) shall be eligible for medical assistance
4 under this section if such individual is:

5 **SECTION 1437q.** 49.47 (4) (ag) 1. of the statutes is created to read:

6 49.47 **(4)** (ag) 1. Under the age of 19.”.

7 **794.** Page 724, line 5: after that line insert:

8 **“SECTION 1439m.** 49.47 (4) (cm) 3. of the statutes is created to read:

9 49.47 **(4)** (cm) 3. An individual who is otherwise eligible under this subsection
10 and who has set aside funds in an irrevocable burial trust under s. 445.125 (1) (a) 2.
11 shall, as a condition of eligibility for medical assistance, specify the state as a
12 secondary beneficiary of the trust with respect to all funds in the trust that exceed
13 the burial costs but do not exceed the amount of medical assistance paid on behalf
14 of the individual.”.

15 **795.** Page 724, line 5: after that line insert:

16 **“SECTION 1439m.** 49.47 (4) (b) 2m. a. of the statutes is amended to read:

17 49.47 **(4)** (b) 2m. a. For persons who are eligible under par. (a) 1. ~~or 2.~~, one
18 vehicle is exempt from consideration as an asset. A 2nd vehicle is exempt from
19 consideration as an asset only if the department determines that it is necessary for
20 the purpose of employment or to obtain medical care. The equity value of any
21 nonexempt vehicles owned by the applicant is an asset for the purposes of
22 determining eligibility for medical assistance under this section.

23 **SECTION 1439q.** 49.47 (6) (a) 7. of the statutes is amended to read:

1 49.47 **(6)** (a) 7. Beneficiaries eligible under sub. (4) ~~(a) 2.~~ (ag) 2. or (am) 1., for
2 services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including
3 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
4 related to other conditions which may complicate pregnancy.”.

5 **796.** Page 728, line 9: after that line insert:

6 “**SECTION 1441g.** 49.48 (1) of the statutes is amended to read:

7 49.48 **(1)** The Except as provided in sub. (1m), the department shall require
8 each applicant to provide the department with the applicant’s social security
9 number, if the applicant is an individual, as a condition of issuing or renewing a
10 certification under s. 49.45 (2) (a) 11. as an eligible provider of services.

11 **SECTION 1441h.** 49.48 (1m) of the statutes is created to read:

12 49.48 **(1m)** If an individual who applies for or to renew a certification under
13 sub. (1) does not have a social security number, the individual, as a condition of
14 obtaining the certification, shall submit a statement made or subscribed under oath
15 or affirmation to the department that the applicant does not have a social security
16 number. The form of the statement shall be prescribed by the department of
17 workforce development. A certification issued or renewed in reliance upon a false
18 statement submitted under this subsection is invalid.”.

19 **797.** Page 734, line 6: delete lines 6 to 9 and substitute “time period restriction
20 by rule”.

21 **798.** Page 737, line 12: after “1999,” insert “or on the effective date of this
22 subsection [revisor inserts date], whichever is later.”.

23 **799.** Page 739, line 9: delete lines 9 to 12 and substitute:

24 “**SECTION 1483t.** 49.775 (1) (a) of the statutes is amended to read:

1 49.775 (1) (a) “Custodial parent” ~~has the meaning given in s. 49.141 (1) (b)~~
2 means, with respect to a dependent child, a parent who is eligible for supplemental
3 security income under 42 USC 1381 to 1383d or for state supplemental payments
4 under s. 49.77, or both, and who resides with a dependent child and, if there has been
5 a determination of legal custody with respect to the dependent child, has legal
6 custody of that child. For the purposes of this paragraph, “legal custody” has the
7 meaning given in s. 767.001 (2) (a).

8 **SECTION 1483u.** 49.775 (1) (b) of the statutes is amended to read:

9 49.775 (1) (b) “Dependent child” ~~has the meaning given in s. 49.141 (1) (c)~~
10 means a person who is the son or daughter of a custodial parent, who resides with
11 that parent and who is under the age of 18 or, if the person is a full-time student at
12 a secondary school or a vocational or technical equivalent and is reasonably expected
13 to complete the program before attaining the age of 19, is under the age of 19.

14 **SECTION 1483v.** 49.775 (1) (c) of the statutes is created to read:

15 49.775 (1) (c) “Grandchild” means a person who is the son or daughter of a
16 custodial parent’s dependent child who resides with the dependent child and, if there
17 has been a determination of legal custody with respect to that person, of whom the
18 dependent child has legal custody. For the purposes of this paragraph, “legal
19 custody” has the meaning given in s. 767.001 (2) (a).

20 **SECTION 1483w.** 49.775 (1) (d) of the statutes is created to read:

21 49.775 (1) (d) “Parent” has the meaning given in s. 49.141 (1) (j).

22 **SECTION 1483x.** 49.775 (2) (intro.) of the statutes is amended to read:

23 49.775 (2) SUPPLEMENTAL PAYMENTS. (intro.) Subject to sub. (3), the department
24 shall make a monthly payment in the amount specified in sub. (4) to a custodial

parent for the support of each dependent child of the custodial parent, and for the support of each grandchild, if all of the following conditions are met:

SECTION 1483y. 49.775 (2) (a) of the statutes is repealed.

SECTION 1483ym. 49.775 (2) (b) of the statutes is amended to read:

49.775 (2) (b) If the dependent child has 2 custodial parents, each custodial parent receives is eligible for supplemental security income under 42 USC 1381 to 1383c or for state supplemental payments under s. 49.77, or both.

SECTION 1483z. 49.775 (2) (c) of the statutes is amended to read:

49.775 (2) (c) The dependent child and grandchild, if any, of the ~~eustodian~~ custodial parent ~~meets~~ meet the eligibility criteria under the aid to families with dependent children program under s. 49.19 (1) to (19) or would meet the eligibility criteria under s. 49.19 but for the application of s. 49.19 (20).

SECTION 1483zb. 49.775 (2) (d) of the statutes is amended to read:

49.775 (2) (d) The dependent child or the grandchild does not receive supplemental security income under 42 USC 1381 to 1383d.

SECTION 1484b. 49.775 (4) of the statutes is renumbered 49.775 (4) (a) and amended to read:

49.775 (4) PAYMENT AMOUNT. (a) The payment under sub. (2) is \$100 ~~\$250~~ per month ~~per~~ for one dependent child and \$150 per month for each additional dependent child and, except as provided in par. (b), \$150 per month for each grandchild.

SECTION 1484c. 49.775 (4) (b) of the statutes is created to read:

49.775 (4) (b) If the custodial parent receives a payment under s. 48.57 (3m) for the care and maintenance of a child, no payment may be made under this section with respect to that child.”.

1 **800.** Page 739, line 23: after that line insert:

2 “**SECTION 1488d.** 49.857 (1) (d) 3. of the statutes is amended to read:

3 49.857 (1) (d) 3. A license issued under s. 48.66 (1) (a) or (b).”.

4 **801.** Page 739, line 23: after that line insert:

5 “**SECTION 1488m.** 49.857 (1) (d) 12. of the statutes is amended to read:

6 49.857 (1) (d) 12. A license or certificate of registration issued under s. 138.09,
7 138.12, 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or subch. III of ch.
8 551.”.

9 **802.** Page 741, line 4: after that line insert:

10 “**SECTION 1491m.** 49.96 of the statutes, as affected by 1997 Wisconsin Act 105,
11 section 27g, is amended to read:

12 **49.96 Assistance grants exempt from levy.** All grants of aid to families with
13 dependent children, payments made under ss. 48.57 (3m) ~~or~~ (3n) or (3o), 49.148 (1)
14 (b) 1. or (c) or (1m) or 49.149 to 49.159, payments made for social services, cash
15 benefits paid by counties under s. 59.53 (21), and benefits under s. 49.77 or federal
16 Title XVI, are exempt from every tax, and from execution, garnishment, attachment
17 and every other process and shall be inalienable.”.

18 **803.** Page 742, line 9: delete lines 9 and 10 and substitute:

19 “(a) For a person who has received a screen for functional eligibility under s.
20 46.286 (1) (a) within the previous 6 months, the referral under this subsection need
21 not include performance of an additional functional screen under s. 46.283 (4) (g).”.

22 **804.** Page 742, line 12: after that line insert:

23 “(d) For a person who seeks admission or is about to be admitted on a private
24 pay basis and who waives the requirement for a financial screen under s. 46.283 (4)

(g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.”.

805. Page 743, line 7: delete lines 7 and 8 and substitute:

“(a) For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen under s. 46.283 (4) (g).”.

806. Page 743, line 11: after that line insert:

“(d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.”.

807. Page 745, line 21: delete lines 21 and 22 and substitute:

“(a) For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen under s. 46.283 (4) (g).”.

808. Page 745, line 25: after that line insert:

“(d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.”.

809. Page 748, line 15: delete lines 15 and 16 and substitute:

1 “1. For a person who has received a screen for functional eligibility under s.
2 46.286 (1) (a) within the previous 6 months, the referral under this paragraph need
3 not include performance of an additional functional screen under s. 46.283 (4) (g).”.

4 **810.** Page 748, line 18: after that line insert:

5 “4. For a person who seeks admission or is about to be admitted on a private
6 pay basis and who waives the requirement for a financial screen under s. 46.283 (4)
7 (g), the referral under this subsection may not include performance of a financial
8 screen under s. 46.283 (4) (g), unless the person expected to become eligible for
9 medical assistance within 6 months.”.

10 **811.** Page 749, line 17: after “(1)” insert “. If admission is sought on behalf
11 of the incapacitated individual or if the incapacitated individual is about to be
12 admitted on a private pay basis, the individual who consents to the admission may
13 waive the requirement for a financial screen under s. 46.283 (4) (g), unless the
14 incapacitated individual is expected to become eligible for medical assistance within
15 6 months”.

16 **812.** Page 749, line 17: after that line insert:

17 “**SECTION 1515m.** 50.065 (1) (c) 2. of the statutes is amended to read:
18 50.065 (1) (c) 2. Kinship care ~~under s. 48.57 (3m)~~ or long-term kinship care
19 under s. 48.57 (3m), (3n) or (3o).”.

20 **813.** Page 749, line 17: after that line insert:

21 “**SECTION 1521b.** 50.065 (1) (ag) of the statutes is created to read:
22 50.065 (1) (ag) 1. “Caregiver” means any of the following:
23 a. A person who is, or is expected to be, an employe or contractor of an entity,
24 who is or is expected to be under the control of an entity, as defined by the department

1 by rule, and who has, or is expected to have, regular, direct contact with clients of the
2 entity.

3 b. A person who has, or is seeking, a license, certification, registration, or
4 certificate of approval issued or granted by the department to operate an entity.

5 c. A person who is, or is expected to be, an employee of the board on aging and
6 long-term care and who has, or is expected to have, regular, direct contact with
7 clients.

8 2. “Caregiver” does not include a person who is certified as an emergency
9 medical technician under s. 146.50 if the person is employed, or seeking employment,
10 as an emergency medical technician.

11 **SECTION 1521c.** 50.065 (1) (bm) of the statutes is created to read:

12 50.065 (1) (bm) “Contractor” means, with respect to an entity, a person, or that
13 person’s agent, who provides services to the entity under an express or implied
14 contract or subcontract, including a person who has staff privileges at the entity.

15 **SECTION 1521cm.** 50.065 (1) (br) of the statutes is created to read:

16 50.065 (1) (br) “Direct contact” means face-to-face physical proximity to a
17 client that affords the opportunity to commit abuse or neglect of a client or to
18 misappropriate the property of a client.

19 **SECTION 1521d.** 50.065 (1) (c) (intro.) of the statutes is amended to read:

20 50.065 (1) (c) (intro.) “Entity” means a facility, organization or service that is
21 licensed or certified by or registered with the department to provide direct care or
22 treatment services to clients. “Entity” includes a hospital, a personal care worker
23 agency and, a supportive home care service agency, a temporary employment agency
24 that provides caregivers to another entity and the board on aging and long-term
25 care. “Entity” does not include any of the following:

1 **SECTION 1521e.** 50.065 (1) (cn) of the statutes is created to read:

2 50.065 (1) (cn) “Nonclient resident” means a person who resides, or is expected
3 to reside, at an entity, who is not a client of the entity and who has, or is expected to
4 have, regular, direct contact with clients of the entity.

5 **SECTION 1521em.** 50.065 (1) (dm) of the statutes is created to read:

6 50.065 (1) (dm) “Reservation” means land in this state within the boundaries
7 of a reservation of a tribe or within the bureau of Indian affairs service area for the
8 Ho–Chunk Nation.

9 **SECTION 1521f.** 50.065 (1) (e) of the statutes is repealed and recreated to read:

10 50.065 (1) (e) 1. “Serious crime” means a violation of s. 940.01, 940.02, 940.03,
11 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3),
12 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a), or a violation of the
13 law of any other state or United States jurisdiction that would be a violation of s.
14 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3),
15 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)
16 (a) if committed in this state.

17 2. For the purposes of an entity that serves persons under the age of 18, “serious
18 crime” includes a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055,
19 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or
20 a violation of the law of any other state or United States jurisdiction that would be
21 a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07,
22 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 if committed in this
23 state.

24 **SECTION 1521fm.** 50.065 (1) (g) of the statutes is created to read:

1 50.065 (1) (g) “Tribe” means a federally recognized American Indian tribe or
2 band in this state.

3 **SECTION 1521g.** 50.065 (2) (a) (intro.) of the statutes is renumbered 50.065 (4m)
4 (a) (intro.).

5 **SECTION 1521h.** 50.065 (2) (a) 1. of the statutes is renumbered 50.065 (4m) (a)
6 1.

7 **SECTION 1521i.** 50.065 (2) (a) 2. of the statutes is repealed.

8 **SECTION 1521j.** 50.065 (2) (a) 3. of the statutes is renumbered 50.065 (4m) (a)
9 3.

10 **SECTION 1521k.** 50.065 (2) (a) 4. of the statutes is renumbered 50.065 (4m) (a)
11 4.

12 **SECTION 1521L.** 50.065 (2) (a) 5. of the statutes is renumbered 50.065 (4m) (a)
13 5.

14 **SECTION 1521m.** 50.065 (2) (ag) (intro.) of the statutes is renumbered 50.065
15 (4m) (b) (intro.) and amended to read:

16 50.065 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
17 sub. (5), an entity may not hire or contract with a ~~person who will be under the~~
18 ~~entity’s control, as defined by the department by rule, and who is expected to have~~
19 ~~access to its clients, caregiver or permit to reside at the entity a person who is not a~~
20 ~~client and who is expected to have access to a client~~ nonclient resident, if the entity
21 knows or should have known any of the following:

22 **SECTION 1521n.** 50.065 (2) (ag) 1. of the statutes is renumbered 50.065 (4m)
23 (b) 1.

24 **SECTION 1521p.** 50.065 (2) (ag) 2. of the statutes is repealed.

1 **SECTION 1521q.** 50.065 (2) (ag) 3. of the statutes is renumbered 50.065 (4m) (b)
2 3.

3 **SECTION 1521r.** 50.065 (2) (ag) 4. of the statutes is renumbered 50.065 (4m) (b)
4 4.

5 **SECTION 1521s.** 50.065 (2) (ag) 5. of the statutes is renumbered 50.065 (4m) (b)
6 5.

7 **SECTION 1521t.** 50.065 (2) (am) (intro.) of the statutes is amended to read:
8 50.065 (2) (am) (intro.) ~~Subject to subd. 5. and par. (bd), the~~ The department
9 shall obtain all of the following with respect to a person specified under par. (a)
10 ~~(intro.) sub. (1) (ag) 1. b. and a person specified under par. (ag) (intro.)~~ who is a
11 nonclient resident or prospective nonclient resident of an entity:

12 **SECTION 1521u.** 50.065 (2) (am) 5. of the statutes is amended to read:
13 50.065 (2) (am) 5. Information maintained by the department under this
14 section regarding any denial to the person of a license, certification, certificate of
15 approval or registration or of a continuation of a license, certification, certificate of
16 approval or registration to operate an entity for a reason specified in ~~par. sub. (4m)~~
17 (a) 1. to 5. and regarding any denial to the person of employment at, a contract with
18 or permission to reside at an entity for a reason specified in ~~par. (ag) sub. (4m) (b) 1.~~
19 to 5. If the information obtained under this subdivision indicates that the person has
20 been denied a license, certification, certificate of approval or registration,
21 continuation of a license, certification, certificate of approval or registration, a
22 contract, employment or permission to reside as described in this subdivision, the
23 department need not obtain the information specified in subds. 1. to 4.

24 **SECTION 1521v.** 50.065 (2) (b) 1. of the statutes is renumbered 50.065 (2) (b),
25 and 50.065 (2) (b) (intro.) and 5., as renumbered, are amended to read:

1 50.065 **(2)** (b) (intro.) ~~Subject to subds. 1. e. and 2. and par. (bd), every~~ Every
2 entity shall obtain all of the following with respect to a ~~person specified under par.~~
3 ~~(ag) (intro.) who is an employe or contractor or a prospective employe or contractor~~
4 caregiver of the entity:

5 5. Information maintained by the department under this section regarding any
6 denial to the person of a license, certification, certificate of approval or registration
7 or of a continuation of a license, certification, certificate of approval or registration
8 to operate an entity for a reason specified in par. sub. (4m) (a) 1. to 5. and regarding
9 any denial to the person of employment at, a contract with or permission to reside
10 at an entity for a reason specified in par. ~~(ag)~~ sub. (4m) (b) 1. to 5. If the information
11 obtained under this ~~subd. 1. e.~~ subdivision indicates that the person has been denied
12 a license, certification, certificate of approval or registration, continuation of a
13 license, certification, certificate of approval or registration, a contract, employment
14 or permission to reside as described in this ~~subd. 1. e.~~ subdivision, the entity need
15 not obtain the information specified in ~~subd. subds. 1. a. to d. to 4.~~

16 **SECTION 1521w.** 50.065 (2) (b) 2. of the statutes is repealed.

17 **SECTION 1521xd.** 50.065 (2) (bb) of the statutes is created to read:

18 50.065 **(2)** (bb) If information obtained under par. (am) or (b) indicates a charge
19 of a serious crime, but does not completely and clearly indicate the final disposition
20 of the charge, the department or entity shall make every reasonable effort to contact
21 the clerk of courts to determine the final disposition of the charge. If a background
22 information form under sub. (6) (a) or (am) indicates a charge or a conviction of a
23 serious crime, but information obtained under par. (am) or (b) does not indicate such
24 a charge or conviction, the department or entity shall make every reasonable effort
25 to contact the clerk of courts to obtain a copy of the criminal complaint and the final

1 disposition of the complaint. If information obtained under par. (am) or (b), a
2 background information form under sub. (6) (a) or (am) or any other information
3 indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08,
4 947.01 or 947.013 obtained not more than 5 years before the date on which that
5 information was obtained, the department or entity shall make every reasonable
6 effort to contact the clerk of courts to obtain a copy of the criminal complaint and
7 judgment of conviction relating to that violation.

8 **SECTION 1521y.** 50.065 (2) (bd) of the statutes is amended to read:

9 50.065 (2) (bd) Notwithstanding pars. (am) and (b) 1., the department is not
10 required to obtain the information specified in par. (am) 1. to 5., and an entity is not
11 required to obtain the information specified in par. (b) 1. ~~a. to e.~~ to 5., with respect
12 to a person under 18 years of age whose background information form under sub. (6)
13 (am) indicates that the person is not ineligible to be employed, contracted with or
14 permitted to reside at an entity for a reason specified in ~~par. (ag)~~ sub. (4m) (b) 1. to
15 5. and with respect to whom the department or entity otherwise has no reason to
16 believe that the person is ineligible to be employed, contracted with or permitted to
17 reside at an entity for any of those reasons. This paragraph does not preclude the
18 department from obtaining, at its discretion, the information specified in par. (am)
19 1. to 5. with respect to a person described in this paragraph who is a nonclient
20 resident or a prospective nonclient resident of an entity.

21 **SECTION 1521z.** 50.065 (2) (bg) of the statutes is amended to read:

22 50.065 (2) (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with~~
23 ~~respect to an employee, prospective employee, contractor or prospective contractor~~
24 hires or contracts with a caregiver for whom, within the last 4 years, the information
25 required under par. (b) 1. ~~a. to e.~~ 3. and ~~e.~~ 5. has already been obtained, ~~either by~~

1 another entity ~~or by a temporary employment agency~~, the entity may obtain the that
2 information required under par. (b) 1. a. to c. and e. from that other entity ~~or~~
3 ~~temporary employment agency~~, which shall provide the information, if possible, to
4 the requesting entity. If an entity cannot obtain the information required under par.
5 (b) 1. a. to c. 3. and e. 5. from another entity ~~or from a temporary employment agency~~
6 or if an entity has reasonable grounds to believe that any information obtained from
7 another entity ~~or from a temporary employment agency~~ is no longer accurate, the
8 entity shall obtain that information from the sources specified in par. (b) 1. a. to 3.
9 and e. 5.

10 **SECTION 1521zb.** 50.065 (2) (bm) of the statutes is amended to read:

11 50.065 (2) (bm) If the person who is the subject of the search under par. (am)
12 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding
13 the date of the search that person has not been a resident of this state, or if the
14 department or entity determines that the person's employment, licensing or state
15 court records provide a reasonable basis for further investigation, the department or
16 entity shall make a good faith effort to obtain from any state or other United States
17 jurisdiction in which the person is a resident or was a resident within the 3 years
18 preceding the date of the search information that is equivalent to the information
19 specified in par. (am) 1. or (b) 1. a. The department or entity may require the person
20 to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's
21 fingerprints. The department of justice may provide for the submission of the
22 fingerprint cards to the federal bureau of investigation for the purposes of verifying
23 the identity of the person fingerprinted and obtaining records of his or her criminal
24 arrests and convictions.

1 **SECTION 1521zc.** 50.065 (2) (c) of the statutes is renumbered 50.065 (4m) (c)
2 and amended to read:

3 50.065 **(4m)** (c) If the background information form completed by a person
4 under sub. (6) (am) indicates that the person is not ineligible to be employed or
5 contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ
6 or contract with the person for not more than 60 days pending the receipt of the
7 information sought under par. sub. (2) (b) 1. If the background information form
8 completed by a person under sub. (6) (am) indicates that the person is not ineligible
9 to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~ (b) 1. to 5. and
10 if an entity otherwise has no reason to believe that the person is ineligible to be
11 permitted to reside at an entity for any of those reasons, the entity may permit the
12 person to reside at the entity for not more than 60 days pending receipt of the
13 information sought under ~~par. sub. (2)~~ (am). An entity shall provide supervision for
14 a person who is employed or contracted with or permitted to reside as permitted
15 under this paragraph.

16 **SECTION 1521zd.** 50.065 (2) (d) of the statutes is created to read:

17 50.065 **(2)** (d) Every entity shall maintain, or shall contract with another
18 person to maintain, the most recent background information obtained on a caregiver
19 under par. (b). The information shall be made available for inspection by authorized
20 persons, as defined by the department by rule.

21 **SECTION 1521ze.** 50.065 (3) (a) of the statutes is amended to read:

22 50.065 **(3)** (a) Every 4 years or at any time within that period that the
23 department considers appropriate, the department shall request the information
24 specified in sub. (2) (am) 1. to 4. 5. for all persons who are licensed to operate an entity

1 and for all persons ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an
2 entity.

3 **SECTION 1521zf.** 50.065 (3) (b) of the statutes is amended to read:

4 50.065 (3) (b) Every 4 years or at any other time within that period that an
5 entity considers appropriate, the entity shall request the information specified in
6 sub. (2) (b) 1. a. to d. 5. for all persons ~~specified in sub. (2) (ag) (intro.)~~ who are
7 ~~employees or contractors~~ caregivers of the entity.

8 **SECTION 1521zg.** 50.065 (3m) of the statutes is amended to read:

9 50.065 (3m) Notwithstanding subs. (2) (b) ~~1.~~ and (3) (b), if the department
10 obtains the information required under sub. (2) (am) or (3) (a) with respect to a person
11 ~~specified in sub. (2) (a) (intro.)~~ who is a caregiver specified under sub. (1) (ag) 1. b.
12 and that person is also an employee, contractor or nonclient resident of the entity, the
13 entity is not required to obtain the information specified in sub. (2) (b) ~~1.~~ or (3) (b)
14 with respect to that person.

15 **SECTION 1521zh.** 50.065 (4) of the statutes is amended to read:

16 50.065 (4) An entity that violates sub. (2) ~~or~~ (3) or (4m) (b) may be required to
17 forfeit not more than \$1,000 and may be subject to other sanctions specified by the
18 department by rule.

19 **SECTION 1521zi.** 50.065 (4m) (b) (intro.) of the statutes, as affected by 1999
20 Wisconsin Act (this act), is amended to read:

21 50.065 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
22 sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit to reside
23 at the entity a nonclient resident, if the entity knows or should have known any of
24 the following:

1 **SECTION 1521zj.** 50.065 (5) (intro.) of the statutes is renumbered 50.065 (5) and
2 amended to read:

3 **50.065 (5)** The department may license, certify, issue a certificate of approval
4 to or register to operate an entity a person who otherwise may not be licensed,
5 certified, issued a certificate of approval or registered for a reason specified in sub.
6 ~~(2)~~ (4m) (a) 1. to 5. , and an entity may employ, contract with or permit to reside at
7 the entity a person who otherwise may not be employed, contracted with or permitted
8 to reside at the entity for a reason specified in sub. ~~(2)~~ ~~(ag)~~ (4m) (b) 1. to 5., if the
9 person demonstrates to the department, or, in the case of an entity that is located
10 within the boundaries of a reservation, to the person or body designated by the tribe
11 under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with
12 procedures established by the department by rule, or by the tribe, that he or she has
13 been rehabilitated. ~~No person who has been convicted of any of the following offenses~~
14 ~~may be permitted to demonstrate that he or she has been rehabilitated:~~

15 **SECTION 1521zk.** 50.065 (5) (a) to (e) of the statutes are repealed.

16 **SECTION 1521zL.** 50.065 (5d) of the statutes is created to read:

17 **50.065 (5d)** (a) Any tribe that chooses to conduct rehabilitation reviews under
18 sub. (5) shall submit to the department a rehabilitation review plan that includes all
19 of the following:

- 20 1. The criteria to be used to determine if a person has been rehabilitated.
- 21 2. The title of the person or body designated by the tribe to whom a request for
22 review must be made.
- 23 3. The title of the person or body designated by the tribe to determine whether
24 a person has been rehabilitated.

1 3m. The title of the person or body designated by the tribe to whom a person
2 may appeal an adverse decision made by the person specified under subd. 3. and
3 whether the tribe provides any further rights of appeal.

4 4. The manner in which the tribe will submit information relating to a
5 rehabilitation review to the department so that the department may include that
6 information in its report to the legislature required under sub. (5g).

7 5. A copy of the form to be used to request a review and a copy of the form on
8 which a written decision is to be made regarding whether a person has demonstrated
9 rehabilitation.

10 (b) If, within 90 days after receiving the plan, the department does not
11 disapprove the plan, the plan shall be considered approved. If, within 90 days after
12 receiving the plan, the department disapproves the plan, the department shall
13 provide notice of that disapproval to the tribe in writing, together with the reasons
14 for the disapproval. The department may not disapprove a plan unless the
15 department finds that the plan is not rationally related to the protection of clients.
16 If the department disapproves the plan, the tribe may, within 30 days after receiving
17 notice of the disapproval, request that the secretary review the department's
18 decision. A final decision under this paragraph is not subject to further review under
19 ch. 227.

20 **SECTION 1521zm.** 50.065 (5m) of the statutes is amended to read:

21 50.065 **(5m)** Notwithstanding s. 111.335, the department may refuse to license,
22 certify or register, or issue a certificate of approval to, a ~~person to operate an entity,~~
23 caregiver and an entity may refuse to employ, or contract with a caregiver or to
24 permit a nonclient resident to reside at the entity ~~a person specified in sub. (2) (ag)~~
25 ~~(intro.)~~, if the ~~person~~ caregiver or nonclient resident has been convicted of an offense

1 that the department has not defined as a “serious crime” by rule promulgated under
2 sub. (7) (a), or specified in the list established by rule under sub. (7) (b) is not a serious
3 crime, but that is, in the estimation of the department or entity, substantially related
4 to the care of a client.

5 **SECTION 1521zn.** 50.065 (6) (am) (intro.) of the statutes is renumbered 50.065
6 (6) (am) and amended to read:

7 50.065 (6) (am) Every 4 years an entity shall require all of the following persons
8 its caregivers and nonclient residents to complete a background information form
9 that is provided to the entity by the department.

10 **SECTION 1521zp.** 50.065 (6) (am) 1. and 2. of the statutes are repealed.

11 **SECTION 1521zq.** 50.065 (6) (b) of the statutes is amended to read:

12 50.065 (6) (b) For persons specified under par. (a) caregivers who are licensed,
13 issued a certificate of approval or certified by, or registered with, the department, for
14 person specified in par. (am) 2. nonclient residents, and for other persons specified
15 by the department by rule, the entity shall send the background information form
16 to the department. For persons specified under par. (am) 1., the entity shall maintain
17 the background information form on file for inspection by the department.

18 **SECTION 1521zr.** 50.065 (7) (a) and (b) of the statutes are repealed.”.

19 **814.** Page 749, line 21: delete “1.”.

20 **815.** Page 749, line 24: after that line insert:

21 **“SECTION 1522w.** 50.135 (1) of the statutes is amended to read:

22 50.135 (1) DEFINITION. In this section, “inpatient health care facility” means
23 any hospital, nursing home, county home, county mental hospital, ~~tuberculosis~~
24 ~~sanatorium~~ or other place licensed or approved by the department under ss. 49.70,

1 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, and 51.09, ~~58.06, 252.073 and 252.076~~, but
2 does not include community-based residential facilities.”.

3 **816.** Page 751, line 16: after that line insert:

4 “**SECTION 1526g.** 50.39 (2) of the statutes is amended to read:

5 50.39 (2) The use of the title “hospital” to represent or identify any facility
6 which does not meet the definition of a “hospital” as provided herein or is not subject
7 to approval under ss. 50.32 to 50.39 is prohibited, except that institutions governed
8 by ss. s. 51.09 ~~and 252.073~~ are exempt.

9 **SECTION 1526h.** 50.39 (3) of the statutes is amended to read:

10 50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09,
11 ~~58.06, 252.073, 252.076~~ and 252.10, secured correctional facilities as defined in s.
12 938.02 (15m), correctional institutions governed by the department of corrections
13 under s. 301.02 and the offices and clinics of persons licensed to treat the sick under
14 chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do
15 not abridge the rights of the medical examining board, physical therapists affiliated
16 credentialing board, podiatrists affiliated credentialing board, dentistry examining
17 board, pharmacy examining board, chiropractic examining board and board of
18 nursing in carrying out their statutory duties and responsibilities.”.

19 **817.** Page 752, line 10: after that line insert:

20 “**SECTION 1532d.** 51.01 (14k) of the statutes is created to read:

21 51.01 (14k) “Secured child caring institution” has the meaning given in s.
22 938.02 (15g).

23 **SECTION 1533d.** 51.01 (14m) of the statutes is created to read:

1 51.01 **(14m)** “Secured correctional facility” has the meaning given in s. 938.02
2 (15m).

3 **SECTION 1534d.** 51.01 (14p) of the statutes is created to read:

4 51.01 **(14p)** “Secured group home” has the meaning given in s. 938.02 (15p).”.

5 **818.** Page 752, line 10: after that line insert:

6 **“SECTION 1531r.** 50.94 of the statutes is created to read:

7 **50.94 Admission to and care in a hospice for certain incapacitated**
8 **persons. (1)** In this section:

9 (a) “Hospice care” means palliative care, respite care, short-term care or
10 supportive care.

11 (b) “Incapacitated” means unable to receive and evaluate information
12 effectively or to communicate decisions to such an extent that a person lacks the
13 capacity to manage his or her health care decisions.

14 (c) “Physician” means a person licensed to practice medicine and surgery under
15 ch. 448.

16 (d) “Terminal condition” means an incurable condition caused by injury, disease
17 or illness that according to reasonable medical judgment will produce death within
18 6 months, even with available life-sustaining treatment provided in accordance with
19 the prevailing standard of medical care.

20 **(2)** A person who is determined to be incapacitated under the requirements of
21 sub. (8), does not have a valid living will or valid power of attorney for health care
22 and has not been adjudicated incompetent under ch. 880 may be admitted to a
23 hospice under this section only if all of the following requirements are met:

24 (a) An individual who is specified in sub. (3) signs all of the following:

1 1. On behalf of the person who is incapacitated, an informed consent for the
2 receipt of hospice care by the person who is incapacitated.

3 2. A statement certifying that it is his or her belief, to the best of his or her
4 knowledge, that, if able to do so, the person who is incapacitated would have selected
5 hospice care.

6 (b) A physician certifies that the person who is incapacitated has a terminal
7 condition and that the physician believes that the individual under par. (a) is acting
8 in accordance with the views or beliefs of the person who is incapacitated.

9 **(3)** The following individuals, in the following order of priority, may act under
10 sub. (2) (a):

11 (a) The spouse of the person who is incapacitated.

12 (b) An adult child of the person who is incapacitated.

13 (c) A parent of the person who is incapacitated.

14 (d) An adult sibling of the person who is incapacitated.

15 (e) A close friend or a relative of the person who is incapacitated, other than as
16 specified in pars. (a) to (d), to whom all of the following apply:

17 1. The close friend or other relative is aged at least 18 and has maintained
18 sufficient regular contact with the person who is incapacitated to be familiar with the
19 person's activities, health and beliefs.

20 2. The close friend or other relative has exhibited special care and concern for
21 the incapacitated person.

22 **(4)** The individual who acts under sub. (2) (a) may make all health care
23 decisions related to receipt of hospice care by the person who is incapacitated.

24 **(5)** The person who is incapacitated or the individual under sub. (4) may object
25 to or revoke the election of hospice care at any time.

1 **(6)** A person who disagrees with a hospice decision made under this section may
2 apply under ch. 880 for temporary guardianship of the person who is incapacitated.
3 In applying for the temporary guardianship, such a person has the burden of proving
4 that the person who is incapacitated would not have consented to admission to a
5 hospice or hospice care.

6 **(7)** The individual who acts under sub. (2) (a) shall, if feasible, provide to all
7 other individuals listed under sub. (3) notice of the proposed admission of the person
8 who is incapacitated to a hospice and of the right to apply for temporary
9 guardianship under sub. (6). If it is not feasible for the individual to provide this
10 notice before admission of the person who is incapacitated to a hospice, the individual
11 who acts under sub. (2) (a) shall exercise reasonable diligence in providing the notice
12 within 48 hours after the admission.

13 **(8)** A determination that a person is incapacitated may be made only by 2
14 physicians or by one physician and one licensed psychologist, as defined in s. 455.01
15 (4), who personally examine the person and sign a statement specifying that the
16 person is incapacitated. Mere old age, eccentricity or physical disabilities, singly or
17 together, are insufficient to determine that a person is incapacitated. Whoever
18 determines that the person is incapacitated may not be a relative, as defined in s.
19 242.01 (11), of the person or have knowledge that he or she is entitled to or has claim
20 on any portion of the person's estate. A copy of the statement shall be included in the
21 records of the incapacitated person in the hospice to which he or she is admitted.”.

22 **819.** Page 752, line 10: after that line insert:

23 **“SECTION 1531g.** 50.498 (1) (intro.) of the statutes is amended to read:

1 50.498 (1) (intro.) The Except as provided in sub. (1m), the department shall
2 require each applicant to provide the department with his or her social security
3 number, if the applicant is an individual, or the applicant's federal employer
4 identification number, if the applicant is not an individual, as a condition of issuing
5 any of the following:

6 **SECTION 1531h.** 50.498 (1m) of the statutes is created to read:

7 50.498 (1m) If an individual who applies for a certificate of approval, license
8 or provisional license under sub. (1) does not have a social security number, the
9 individual, as a condition of obtaining the certificate of approval, license or
10 provisional license, shall submit a statement made or subscribed under oath or
11 affirmation to the department that the applicant does not have a social security
12 number. The form of the statement shall be prescribed by the department of
13 workforce development. A certificate of approval, license or provisional license
14 issued in reliance upon a false statement submitted under this subsection is invalid.

15 **SECTION 1531i.** 50.498 (3) of the statutes is amended to read:

16 50.498 (3) The Except as provided in sub. (1m), the department shall deny an
17 application for the issuance of a certificate of approval, license or provisional license
18 specified in sub. (1) if the applicant does not provide the information specified in sub.
19 (1).”.

20 **820.** Page 755, line 8: after that line insert:

21 **“SECTION 1539d.** 51.05 (2) of the statutes is amended to read:

22 51.05 (2) The department may not accept for admission to a mental health
23 institute any resident person, except in an emergency, unless the county department
24 under s. 51.42 in the county where the person has legal residency authorizes the care,

1 as provided in s. 51.42 (3) (as). Patients who are committed to the department under
2 s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06,
3 admitted by the department under s. 975.17, 1977 stats., or are transferred from a
4 juvenile secured correctional facility ~~or, a secured child caring institution, as defined~~
5 ~~in s. 938.02 (15g), or a secured group home~~ to a state treatment facility under s. 51.35
6 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not
7 subject to this section.”.

8 **821.** Page 755, line 8: after that line insert:

9 “**SECTION 1538p.** 51.032 (1) (intro.) of the statutes is amended to read:

10 51.032 (1) (intro.) The Except as provided in sub. (1m), the department shall
11 require each applicant to provide the department with his or her social security
12 number, if the applicant is an individual, or the applicant’s federal employer
13 identification number, if the applicant is not an individual, as a condition of issuing
14 any of the following:

15 **SECTION 1538q.** 51.032 (1m) of the statutes is created to read:

16 51.032 (1m) If an individual who applies for a certification or approval under
17 sub. (1) does not have a social security number, the individual, as a condition of
18 obtaining the certification or approval, shall submit a statement made or subscribed
19 under oath or affirmation to the department that the applicant does not have a social
20 security number. The form of the statement shall be prescribed by the department
21 of workforce development. A certification or approval issued in reliance upon a false
22 statement submitted under this subsection is invalid.

23 **SECTION 1538r.** 51.032 (3) of the statutes is amended to read:

1 51.032 (3) The Except as provided in sub. (1m), the department shall deny an
2 application for the issuance of a certification or approval specified in sub. (1) if the
3 applicant does not provide the information specified in sub. (1).”.

4 **822.** Page 756, line 1: after that line insert:

5 “**SECTION 1555d.** 51.35 (3) (title) of the statutes is amended to read:

6 51.35 (3) (title) ~~TRANSFER OF CERTAIN JUVENILES FROM JUVENILE CORRECTIONAL~~
7 ~~SECURED JUVENILE~~ FACILITIES AND ~~SECURED CHILD-CARING INSTITUTIONS.~~

8 **SECTION 1556d.** 51.35 (3) (a) of the statutes is amended to read:

9 51.35 (3) (a) A licensed psychologist of a juvenile secured correctional facility
10 or a secured child caring institution, ~~as defined in s. 938.02 (15g),~~ or a licensed
11 physician of the department of corrections, who has reason to believe that any
12 individual confined in the ~~facility or institution~~ secured correctional facility, secured
13 child caring institution or secured group home is, in his or her opinion, in need of
14 services for developmental disability, alcoholism or drug dependency or in need of
15 psychiatric services, and who has obtained voluntary consent to make a transfer for
16 treatment, shall make a report, in writing, to the superintendent of the ~~facility or~~
17 ~~institution~~ secured correctional facility, secured child caring institution or secured
18 group home, stating the nature and basis of the belief and verifying the consent. In
19 the case of a minor age 14 and over, the minor and the minor’s parent or guardian
20 shall consent unless the minor is admitted under s. 51.13 (1) (c); and in the case of
21 a minor under the age of 14, only the minor’s parent or guardian need consent. The
22 superintendent shall inform, orally and in writing, the minor and the minor’s parent
23 or guardian, that transfer is being considered and shall inform them of the basis for
24 the request and their rights as provided in s. 51.13 (3). If the department of

1 corrections, upon review of a request for transfer, determines that transfer is
2 appropriate, that department shall immediately notify the department of health and
3 family services and, if the department of health and family services consents, the
4 department of corrections may immediately transfer the individual. The
5 department of ~~corrections~~ health and family services shall file a petition under s.
6 51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the
7 county where the treatment facility is located.

8 **SECTION 1557d.** 51.35 (3) (c) of the statutes is amended to read:

9 51.35 (3) (c) A licensed psychologist of a juvenile secured correctional facility
10 or a secured child caring institution, ~~as defined in s. 938.02 (15g),~~ or a licensed
11 physician of the department of corrections, who has reason to believe that any
12 individual confined in the ~~facility or institution~~ secured correctional facility, secured
13 child caring institution or secured group home, in his or her opinion, is mentally ill,
14 drug dependent or developmentally disabled and is dangerous as described in s.
15 51.20 (1) (a) 2. a., b., c. or d., is mentally ill, is dangerous and satisfies the standard
16 under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as described in s. 51.45
17 (13) (a) 1. and 2., shall file a written report with the superintendent of the ~~facility or~~
18 ~~institution~~ secured correctional facility, secured child caring institution or secured
19 group home, stating the nature and basis of the belief. If the superintendent, upon
20 review of the allegations in the report, determines that transfer is appropriate, he
21 or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to
22 exercise jurisdiction under chs. 48 and 938 of the county where the secured
23 correctional facility or, secured child caring institution or secured group home is
24 located. The court shall hold a hearing according to procedures provided in s. 51.20
25 or 51.45 (13).

1 **SECTION 1558d.** 51.35 (3) (c) of the statutes, as affected by 1995 Wisconsin Act
2 292, section 28, and 1999 Wisconsin Act (this act), is repealed and recreated to
3 read:

4 51.35 **(3)** (c) A licensed psychologist of a secured correctional facility or a
5 secured child caring institution or a licensed physician of the department of
6 corrections, who has reason to believe that any individual confined in the secured
7 correctional facility, secured child caring institution or secured group home, in his
8 or her opinion, is mentally ill, drug dependent or developmentally disabled and is
9 dangerous as described in s. 51.20 (1) (a) 2., or is an alcoholic and is dangerous as
10 described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the
11 superintendent of the secured correctional facility, secured child caring institution
12 or secured group home, stating the nature and basis of the belief. If the
13 superintendent, upon review of the allegations in the report, determines that
14 transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45
15 in the court assigned to exercise jurisdiction under ch. 48 of the county where the
16 secured correctional facility, secured child caring institution or secured group home
17 is located. The court shall hold a hearing according to procedures provided in s. 51.20
18 or 51.45 (13).

19 **SECTION 1559d.** 51.35 (3) (e) of the statutes is amended to read:

20 51.35 **(3)** (e) The department of corrections may authorize emergency transfer
21 of an individual from a juvenile secured correctional facility ~~or~~, a secured child caring
22 institution, ~~as defined in s. 938.02 (15g), or a secured group home~~ to a state treatment
23 facility if there is cause to believe that the individual is mentally ill, drug dependent
24 or developmentally disabled and exhibits conduct which constitutes a danger as
25 described under s. 51.20 (1) (a) 2. a., b., c. or d. to the individual or to others, is

1 mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is
2 an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian
3 of the sending ~~facility or institution~~ secured correctional facility, secured child caring
4 institution or secured group home shall execute a statement of emergency detention
5 or petition for emergency commitment for the individual and deliver it to the
6 receiving state treatment facility. The department of health and family services
7 shall file the statement or petition with the court within 24 hours after the subject
8 individual is received for detention or commitment. The statement or petition shall
9 conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made,
10 the director of the receiving facility may file a petition for continued commitment
11 under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or~~
12 ~~institution~~ secured correctional facility, secured child caring institution or secured
13 group home from which the transfer was made. As an alternative to this procedure,
14 the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~
15 individual may be released without the approval of the court which directed
16 confinement in the secured correctional facility ~~or~~, secured child caring institution
17 or secured group home.

18 **SECTION 1560d.** 51.35 (3) (e) of the statutes, as affected by 1995 Wisconsin Act
19 292, section 28, and 1999 Wisconsin Act (this act), is repealed and recreated to
20 read:

21 51.35 **(3)** (e) The department of corrections may authorize emergency transfer
22 of an individual from a secured correctional facility, a secured child caring institution
23 or a secured group home to a state treatment facility if there is cause to believe that
24 the individual is mentally ill, drug dependent or developmentally disabled and
25 exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. to

1 the individual or to others, or is an alcoholic and is dangerous as provided in s. 51.45
2 (13) (a) 1. and 2. The custodian of the sending secured correctional facility, secured
3 child caring institution or secured group home shall execute a statement of
4 emergency detention or petition for emergency commitment for the individual and
5 deliver it to the receiving state treatment facility. The department of health and
6 family services shall file the statement or petition with the court within 24 hours
7 after the subject individual is received for detention or commitment. The statement
8 or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency
9 transfer is made, the director of the receiving facility may file a petition for continued
10 commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the
11 secured correctional facility, secured child caring institution or secured group home
12 from which the transfer was made. As an alternative to this procedure, the
13 procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual
14 may be released without the approval of the court which directed confinement in the
15 secured correctional facility, secured child caring institution or secured group home.

16 **SECTION 1561d.** 51.35 (3) (g) of the statutes is amended to read:

17 51.35 (3) (g) A minor 14 years of age or older who is transferred to a treatment
18 facility under par. (a) may request in writing a return to the juvenile secured
19 correctional facility or, secured child caring institution, as defined in s. 938.02 (15g)
20 or secured group home. In the case of a minor under 14 years of age, the parent or
21 guardian may make the request. Upon receipt of a request for return from a minor
22 14 years of age or over, the director shall immediately notify the minor's parent or
23 guardian. The minor shall be returned to the juvenile secured correctional facility
24 or, secured child caring institution or secured group home within 48 hours after
25 submission of the request unless a petition or statement is filed for emergency

1 detention, emergency commitment, involuntary commitment or protective
2 placement.”.

3 **823.** Page 759, line 14: after that line insert:

4 “**SECTION 1573g.** 51.48 of the statutes is created to read:

5 **51.48 Alcohol and other drug testing of minors.** A minor’s parent or
6 guardian may consent to have the minor tested for the presence of alcohol or other
7 drugs in the minor’s body. Consent of the minor is not required under this section.”.

8 **824.** Page 759, line 14: after that line insert:

9 “**SECTION 1572m.** 58.06 of the statutes is repealed.”.

10 **825.** Page 760, line 18: after that line insert:

11 “**SECTION 1576m.** 59.25 (3) (r) of the statutes is repealed.”.

12 **826.** Page 761, line 21: after that line insert:

13 “**SECTION 1577p.** 59.52 (29) (a) of the statutes is amended to read:

14 59.52 **(29)** (a) All public work, including any contract for the construction,
15 repair, remodeling or improvement of any public work, building, or furnishing of
16 supplies or material of any kind where the estimated cost of such work will exceed
17 ~~\$20,000~~ \$25,000 shall be let by contract to the lowest responsible bidder. Any public
18 work, the estimated cost of which does not exceed ~~\$20,000~~ \$25,000, shall be let as the
19 board may direct. If the estimated cost of any public work is between \$5,000 and
20 ~~\$20,000~~ \$25,000, the board shall give a class 1 notice under ch. 985 before it contracts
21 for the work or shall contract with a person qualified as a bidder under s. 66.29 (2).
22 A contract, the estimated cost of which exceeds ~~\$20,000~~ \$25,000, shall be let and
23 entered into under s. 66.29, except that the board may by a three-fourths vote of all
24 the members entitled to a seat provide that any class of public work or any part

1 thereof may be done directly by the county without submitting the same for bids.
2 This subsection does not apply to public construction if the materials for such a
3 project are donated or if the labor for such a project is provided by volunteers. This
4 subsection does not apply to highway contracts which the county highway committee
5 or the county highway commissioner is authorized by law to let or make.”.

6 **827.** Page 761, line 23: delete “shall” and substitute “shall may”.

7 **828.** Page 763, line 10: after that line insert:

8 “**SECTION 1579u.** 59.692 (6m) of the statutes is created to read:

9 59.692 (**6m**) For an amendment to an ordinance enacted under this section that
10 affects an activity that meets all of the requirements under s. 281.165 (2) or (3) (a),
11 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review
12 the amendment, to determine whether the ordinance, as amended, fails to meet the
13 shoreland zoning standards.”.

14 **829.** Page 763, line 11: delete lines 11 to 23.

15 **830.** Page 763, line 23: after that line insert:

16 “**SECTION 1580p.** 60.615 of the statutes is created to read:

17 **60.615 Town of Troy farmland preservation pilot program; special**
18 **zoning powers, purchase of development rights. (1) TOWN BOARD PURCHASE OF**
19 DEVELOPMENT RIGHTS. (a) *Definitions.* In this section:

- 20 1. “Board” means the town of Troy board of supervisors.
- 21 2. “Developer” means a person that constructs or creates a land development.
- 22 3. “Development rights” means a holder’s nonpossessory interest in farmland
23 that imposes a limitation or affirmative obligation the purpose of which is to retain
24 or protect natural, scenic or open space values of farmland, assuring the availability

1 of farmland for agricultural, forest, wildlife habitat, recreational or open space use,
2 protecting natural resources or maintaining or enhancing air or water quality.

3 4. “Farmland” has the meaning given for eligible farmland under s. 91.01 (6).

4 5. “Land development” means the construction of residential dwelling units
5 within the town of Troy in an area that is rezoned under sub. (2).

6 6. “Town of Troy” means the town of Troy in St. Croix County.

7 (b) *Purchase of development rights.* 1. The board may purchase development
8 rights to farmland that is located in the town of Troy.

9 2. The town may purchase the development rights with the grant received from
10 the department of agriculture, trade and consumer protection under s. 20.115 (7) (dr)
11 or from funds received under sub. (2) (a). If the board adopts a resolution requesting
12 the department of agriculture, trade and consumer protection to make the grant
13 payment described under this subdivision, the department shall do so.

14 3. The board shall determine which farmland in the town is the best farmland
15 and shall attempt to purchase the development rights to that farmland.

16 **(2) REZONING.** (a) When the board rezones under s. 91.77 (1), a parcel that is
17 zoned for exclusive agricultural use under subch. V of ch. 91, the board may recover
18 an amount equal to the amount of tax credits that would be subject to a lien, as
19 calculated under s. 91.77 (2) on the parcel. The board may recover that amount either
20 by imposing a lien, in the manner provided in s. 91.19 (8) to (10), on the parcel or by
21 requiring payment from the developer who creates a land development on the parcel.
22 The board may use funds collected under this paragraph only for the purchase of
23 development rights under sub. (1) (b).

24 (b) The provisions of s. 91.77 (2) do not apply to a parcel that is rezoned under
25 par. (a) if the board recovers funds under par. (a).

1 **(3)** SUNSET PROVISIONS. Subsection (2) does not apply after the first day of the
2 12th month beginning after publication.”.

3 **831.** Page 763, line 23: after that line insert:

4 “**SECTION 1580n.** 60.47 (2) (a) of the statutes is amended to read:

5 60.47 **(2)** (a) No town may enter into a public contract with an estimated cost
6 of more than \$5,000 but not more than ~~\$10,000~~ \$15,000 unless the town board, or a
7 town official or employe designated by the town board, gives a class 1 notice under
8 ch. 985 before execution of that public contract.

9 **SECTION 1580nc.** 60.47 (2) (b) of the statutes is amended to read:

10 60.47 **(2)** (b) No town may enter into a public contract with a value of more than
11 \$10,000 \$15,000 unless the town board, or a town official or employe designated by
12 the town board, advertises for proposals to perform the terms of the public contract
13 by publishing a class 2 notice under ch. 985. The town board may provide for
14 additional means of advertising for bids.

15 **SECTION 1580ni.** 60.47 (5) of the statutes is amended to read:

16 60.47 **(5)** EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR. This
17 section is optional with respect to public contracts for the repair and construction of
18 public facilities when damage or threatened damage to the facility creates an
19 emergency, as declared by resolution of the town board, that endangers the public
20 health or welfare of the town. This subsection no longer applies when the town board
21 declares that the emergency no longer exists. This section is optional with respect
22 to a public contract if the materials related to the contract are donated or if the labor
23 that is necessary to execute the public contract is provided by volunteers.”.

24 **832.** Page 763, line 23: after that line insert:

1 **“SECTION 1580m.** 59.79 (13) of the statutes is created to read:

2 59.79 **(13)** DESIGN-BUILD CONSTRUCTION PROCESS. Let a contract for the
3 construction of a sheriff’s department training academy, that is located in the county,
4 using the design–build construction process, as defined in s. 66.904 (2) (f). Section
5 66.904 (2) (f) to (i), as it applies to a metropolitan sewerage commission acting under
6 that subsection, applies to the board acting under this subsection.”.

7 **833.** Page 764, line 25: after that line insert:

8 **“SECTION 1585m.** 61.55 of the statutes is amended to read:

9 **61.55 Contracts involving over \$10,000 \$15,000; how let; exception.** All
10 contracts for public construction, in any such village, exceeding \$10,000 \$15,000,
11 shall be let by the village board to the lowest responsible bidder in accordance with
12 s. 66.29 insofar as said section may be applicable. If the estimated cost of any public
13 construction exceeds \$5,000, but is not greater than \$10,000 \$15,000, the village
14 board shall give a class 1 notice, under ch. 985, of the proposed construction before
15 the contract for the construction is executed. This provision does not apply to public
16 construction if the materials for such a project are donated or if the labor for such a
17 project is provided by volunteers, and this provision and s. 281.41 are not mandatory
18 for the repair and reconstruction of public facilities when damage or threatened
19 damage thereto creates an emergency, as determined by resolution of the village
20 board, in which the public health or welfare of the village is endangered. Whenever
21 the village board by majority vote at a regular or special meeting declares that an
22 emergency no longer exists, this exemption no longer applies.

23 **SECTION 1588c.** 62.15 (1) of the statutes is amended to read:

62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All public construction, the estimated cost of which exceeds \$10,000 \$15,000, shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. If the estimated cost of any public construction exceeds \$5,000 but is not greater than \$10,000 \$15,000, the board of public works shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. The council may also by a vote of three-fourths of all the members-elect provide by ordinance that any class of public construction or any part thereof may be done directly by the city without submitting the same for bids.”.

834. Page 767, line 18: delete lines 18 to 25.

835. Page 768, line 1: delete lines 1 to 15.

836. Page 768, line 15: after that line insert:

“**SECTION 1591k.** 62.231 (6m) of the statutes is created to read:

62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an ordinance enacted under this section that affects an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the department of natural resources may not proceed under sub. (6), or otherwise review the amendment, to determine whether the ordinance, as amended, fails to meet reasonable minimum standards.”.

837. Page 770, line 2: delete that line and substitute “local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs, policies and”.

838. Page 770, line 13: after “incorporate” insert “state, regional and”.

1 **839.** Page 773, line 19: after “any” insert “program or”.

2 **840.** Page 774, line 19: after that line insert:

3 “(s) Any other ordinance, plan or regulation of a local governmental unit that
4 relates to land use.”.

5 **841.** Page 776, line 4: delete “and the regional planning commission”.

6 **842.** Page 776, line 6: delete that line and substitute:

7 “2. The clerk of all adjacent local governmental units.”.

8 **843.** Page 776, line 23: after “**developments**” insert “**and conservation**
9 **subdivisions**”.

10 **844.** Page 776, line 24: after that line insert:

11 “(a) “Conservation subdivision” means a housing development in a rural
12 setting that is characterized by compact lots and common open space, and where the
13 natural features of land are maintained to the greatest extent possible.”.

14 **845.** Page 776, line 25: delete “(a)” and substitute “(b)”.

15 **846.** Page 777, line 1: delete “(b)” and substitute “(c)”.

16 **847.** Page 777, line 4: before “Not” insert “(a)”.

17 **848.** Page 777, line 4: delete “ORDINANCE” and substitute “ORDINANCES”.

18 **849.** Page 777, line 9: after “development” insert “and an ordinance for a
19 conservation subdivision”.

20 **850.** Page 777, line 9: after that line insert:

21 “(b) The model ordinances developed under par. (a) shall be presented to the
22 chief clerk of each house of the legislature, and shall be referred immediately by the
23 speaker of the assembly and the presiding officer of the senate to the appropriate

1 standing committee in each house. The model ordinances shall be considered to have
2 been approved by a standing committee if within 14 working days of the referral, the
3 committee does not schedule a meeting for the purpose of reviewing the model
4 ordinance. If the committee schedules a meeting for the purpose of reviewing the
5 model ordinance, the ordinance may not be considered to have been approved unless
6 the committee approves the model ordinance.”.

7 **851.** Page 777, line 11: delete “5,000” and substitute “12,500”.

8 **852.** Page 777, line 13: after “(2)” insert “(a) if the ordinance is approved under
9 sub. (2) (b)”.

10 **853.** Page 777, line 15: on lines 15 and 18, delete “5,000” and substitute
11 “12,500”.

12 **854.** Page 777, line 16: after “(2)” insert “(a) if the ordinance is approved under
13 sub. (2) (b)”.

14 **855.** Page 778, line 6: delete the material beginning with that line and ending
15 with page 779, line 6.

16 **856.** Page 779, line 6: after that line insert:

17 “**SECTION 1608p.** 66.085 (2) of the statutes is amended to read:

18 66.085 (2) INTERFERENCE PROHIBITED. The owner or manager of a multiunit
19 dwelling under common ownership, control or management or of a mobile home park
20 or the association or board of directors of a condominium may not prevent a cable
21 operator from providing cable service to a subscriber who is a resident of the
22 multiunit dwelling, mobile home park or of the condominium or interfere with a cable
23 operator providing cable service to a subscriber who is a resident of the multiunit
24 dwelling, mobile home park or of the condominium.”.

1 **857.** Page 785, line 13: after that line insert:

2 “**SECTION 1617r.** 66.184 of the statutes is amended to read:

3 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
4 village provides health care benefits under its home rule power, or if a town provides
5 health care benefits, to its officers and employes on a self-insured basis, the
6 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
7 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
8 632.895 (9) to (13), 632.896, and 767.25 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b)~~
9 4.”.

10 **858.** Page 786, line 3: after “(2) (e)” insert “, except s. 16.72 (2) (e) 2.,”.

11 **859.** Page 786, line 18: after that line insert:

12 “**SECTION 1621e.** 66.307 (2) (a) of the statutes is amended to read:

13 66.307 (2) (a) The governing body of a political subdivision, by a two-thirds vote
14 of the members of the governing body who are present when the vote is taken, may
15 enact an ordinance or adopt a resolution declaring itself to be a premier resort area
16 if, except as provided in par. (e), at least 40% of the equalized assessed value of the
17 taxable property within such political subdivision is used by tourism-related
18 retailers.

19 **SECTION 1621f.** 66.307 (2) (e) of the statutes is created to read:

20 66.307 (2) (e) 1. The legislature finds the following with respect to the city of
21 Eagle River:

22 a. It is extremely close to the 40% threshold described in par. (a).

23 b. It has an atypical percentage of tax-exempt land within its boundaries that
24 is used for tourism-related purposes.

1 c. It is the site of national recreational competitions that draw tourism business
2 to the entire northern region of this state.

3 2. The city of Eagle River may enact an ordinance or adopt a resolution
4 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
5 equalized assessed value of the taxable property within Eagle River is used by
6 tourism-related retailers.”.

7 **860.** Page 786, line 19: delete the material beginning with that line and
8 ending with page 788, line 24.

9 **861.** Page 788, line 25: substitute “(5r)” for “(5m)”.

10 **862.** Page 789, line 1: delete that line and substitute:

11 “66.431 **(5r)** FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative*
12 *declaration.* The legislature determines that the development of new public schools
13 will help alleviate the substandard conditions described in sub. (2) and will promote
14 the sound growth and economic development of cities and enhance the education of
15 youth in neighborhood settings. The legislature determines that the social and
16 economic problems sought to be addressed are particularly acute in more densely
17 populated areas. The legislature desires to make certain financing and economic
18 tools available in 1st class cities with the view that there are likely to be positive
19 statewide benefits in light of the impact that 1st class cities have on the economy and
20 welfare of the entire state.

21 (b) *Bond issuance for public school facilities.* The authority of a 1st class city
22 may issue up to \$170,000,000 in bonds to finance or refinance the development or
23 redevelopment of sites and facilities to be used for public school facilities by the board

1 of school directors of the school district operating under ch. 119 if all of the following
2 apply:

3 1. The board of school directors of the school district operating under ch. 119
4 requests the issuance of the bonds to implement the report approved under 1999
5 Wisconsin Act (this act), section 9158 (7tw) (b).

6 2. The authority determines that the purposes of the financing are consistent
7 with the 1st class city's master plan.

8 (c) *Terms and conditions.* The terms and conditions of bonds issued under this
9 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be
10 necessary that the financed property be located in a project area or a blighted area.
11 The bonds may not have a maturity in excess of 20 years and may not be issued later
12 than the first day of the 60th month beginning after the effective date of this
13 paragraph [revisor inserts date].

14 (d) *Designation of special*".

15 **863.** Page 789, line 3: delete "s. 66.066 (2) (e)" and substitute "the resolution
16 authorizing the issuance of bonds under this subsection".

17 **864.** Page 789, line 6: delete "described under sub. (5) (a) 4. d.".

18 **865.** Page 789, line 13: delete lines 13 to 16 and substitute:

19 "a. The extent to which and manner by which revenues of the school district
20 operating under ch. 119 are pledged to the payment of the bonds.".

21 **866.** Page 789, line 19: after "annual" insert "pledged".

22 **867.** Page 789, line 20: delete "of the authority" and substitute "on the bonds".

23 **868.** Page 789, line 24: substitute "(j)" for "(g)".

24 **869.** Page 790, line 4: before "amount" insert "principal".

1 **870.** Page 790, line 6: substitute “\$170,000,000” for “\$200,000,000”.

2 **871.** Page 790, line 11: delete “of bonds by the refunding bonds”.

3 **872.** Page 790, line 12: substitute “(j)” for “(g)”.

4 **873.** Page 790, line 13: delete “debt of the authority relating”.

5 **874.** Page 790, line 14: delete “to the bonds has” and substitute “bonds of the
6 authority issued under this subsection have”.

7 **875.** Page 790, line 15: substitute “bonds” for “debt”.

8 **876.** Page 790, line 17: substitute “(j)” for “(g)”.

9 **877.** Page 790, line 22: substitute “(e)” for “(b)”.

10 **878.** Page 790, line 25: delete “described under sub. (5) (a) 4.”.

11 **879.** Page 791, line 1: delete “d.”.

12 **880.** Page 791, line 4: substitute “(f)” for “(c)”.

13 **881.** Page 791, line 5: after “authority” insert “for bonds issued under this
14 subsection”.

15 **882.** Page 791, line 6: delete the material beginning with “bonds secured in”
16 and ending with “special debt service reserve fund” on line 7 and substitute “the
17 bonds”.

18 **883.** Page 791, line 8: substitute “the bonds, the purchase or redemption of
19 the” for “these bonds, the purchase or redemption of these”.

20 **884.** Page 791, line 9: on lines 9 and 10, substitute “the” for “these”.

21 **885.** Page 791, line 12: on lines 12 and 19, substitute “(h)” for “(e)”.

22 **886.** Page 791, line 20: substitute “(g)” for “(d)”.

- 1 **887.** Page 791, line 22: substitute “(h)” for “(e)”.
- 2 **888.** Page 791, line 23: after “bonds” insert “under this subsection”.
- 3 **889.** Page 792, line 1: substitute “(h)” for “(e)”.
- 4 **890.** Page 792, line 3: substitute “(h)” for “(e)”.
- 5 **891.** Page 792, line 6: delete “the bonds” and substitute “bonds under this
- 6 subsection”.
- 7 **892.** Page 793, line 5: substitute “(i)” for “(f)”.
- 8 **893.** Page 793, line 9: substitute “(j)” for “(g)”.
- 9 **894.** Page 793, line 10: on lines 10 and 14, substitute “(h)” for “(e)”.
- 10 **895.** Page 793, line 22: after “appropriation.” insert “This paragraph applies
- 11 only to bonds issued under, and in compliance with, this subsection.”.
- 12 **896.** Page 793, line 22: after that line insert:
- 13 “(k) *Minority contracting provisions.* 1. With regard to a public school
- 14 construction project that is financed from the proceeds of bonds that are issued under
- 15 this subsection, a person who is awarded a contract for construction work or
- 16 professional services shall agree, as a condition to receiving the contract, that at least
- 17 50% of the employees hired because of the contract will be minority group members,
- 18 as defined in s. 560.036 (1) (f).
- 19 2. With regard to a public school construction project that is financed from the
- 20 proceeds of bonds that are issued under this subsection, at least 50% of the aggregate
- 21 dollar value of contracts awarded shall be awarded to minority businesses, as defined
- 22 in s. 560.036 (1) (e), in the following areas:
- 23 a. Contracts for the construction of a public school.

1 b. Contracts for professional services related to the construction of a public
2 school.

3 (L) *Types of schools.* The proceeds of bonds issued under this subsection may
4 not be used for middle schools, for charter or private schools or for modular schools.”.

5 **897.** Page 794, line 3: after that line insert:

6 “**SECTION 1630ed.** 66.46 (4) (h) 1. of the statutes is amended to read:

7 66.46 **(4)** (h) 1. Subject to subds. 2. and 3. and 4., the planning commission may
8 at any time, by resolution, adopt an amendment to a project plan, which amendment
9 shall be subject to approval by the local legislative body and approval of the
10 amendment shall require the same findings as provided in par. (g). Any amendment
11 to a project plan is also subject to review by a joint review board, acting under sub.
12 (4m). Adoption of an amendment to a project plan shall be preceded by a public
13 hearing held by the plan commission at which interested parties shall be afforded a
14 reasonable opportunity to express their views on the amendment. Notice of the
15 hearing shall be published as a class 2 notice, under ch. 985. The notice shall include
16 a statement of the purpose and cost of the amendment and shall advise that a copy
17 of the amendment will be provided on request. Prior to such publication, a copy of
18 the notice shall be sent by 1st class mail to the chief executive officer or administrator
19 of all local governmental entities having the power to levy taxes on property within
20 the district and to the school board of any school district which includes property
21 located within the proposed district. For any county with no chief executive officer
22 or administrator, this notice shall be sent to the county board chairperson.

23 **SECTION 1630ef.** 66.46 (4) (h) 2. of the statutes is amended to read:

1 66.46 (4) (h) 2. Except as provided in ~~subd. subds. 3. and 4.~~, not more than once
2 during the 7 years after the tax incremental district is created, the planning
3 commission may adopt an amendment to a project plan under subd. 1. to modify the
4 district's boundaries by adding territory to the district that is contiguous to the
5 district and that is served by public works or improvements that were created as part
6 of the district's project plan. Expenditures for project costs that are incurred because
7 of an amendment to a project plan to which this subdivision applies may be made for
8 not more than 3 years after the date on which the local legislative body adopts a
9 resolution amending the project plan.

10 **SECTION 1630eh.** 66.46 (4) (h) 4. of the statutes is created to read:

11 66.46 (4) (h) 4. With regard to a village that has a population of less than 10,000,
12 was incorporated in 1914 and is located in a county that has a population of less than
13 25,000 and that contains a portion of the Yellow River and the Chequamegon Waters
14 Flowage, not more than once during the 11 years after the tax incremental district
15 is created, the planning commission may adopt an amendment to a project plan
16 under subd. 1. to modify the district's boundaries by adding territory to the district
17 that is contiguous to the district and that is to be served by public works or
18 improvements that were created as part of the district's project plan. Expenditures
19 for project costs that are incurred because of an amendment to a project plan to which
20 this subdivision applies may be made for not more than 5 years after the date on
21 which the local legislative body adopts a resolution amending the project plan.”.

22 **898.** Page 795, line 2: after that line insert:

23 **“SECTION 1630he.** 66.46 (5) (c) of the statutes is amended to read:

1 66.46 (5) (c) If the city adopts an amendment to the original project plan for any
2 district which includes additional project costs at least part of which will be incurred
3 after the period specified in sub. (6) (am) 1., the tax incremental base for the district
4 shall be redetermined, if sub. (4) (h) 2. ~~or 3.~~ or 4. applies to the amended project plan,
5 by adding to the tax incremental base the value of the taxable property that is added
6 to the existing district under sub. (4) (h) 2. ~~or 3.~~ or 4. or, if sub. (4) (h) 2. ~~or 3.~~ or 4.
7 does not apply to the amended project plan, under par. (b), as of the January 1 next
8 preceding the effective date of the amendment if the amendment becomes effective
9 between January 2 and September 30, as of the next subsequent January 1 if the
10 amendment becomes effective between October 1 and December 31 and if the
11 effective date of the amendment is January 1 of any year, the redetermination shall
12 be made on that date. The tax incremental base as redetermined under this
13 paragraph is effective for the purposes of this section only if it exceeds the original
14 tax incremental base determined under par. (b).

15 **SECTION 1630hh.** 66.46 (5) (ce) of the statutes is amended to read:

16 66.46 (5) (ce) If the city adopts an amendment, to which sub. (4) (h) 2. ~~or 3.~~
17 or 4. applies, the tax incremental base for the district shall be redetermined, by
18 adding to the tax incremental base the value of the taxable property that is added
19 to the existing district under sub. (4) (h) 2. ~~or 3.~~ or 4., as of the January 1 next
20 preceding the effective date of the amendment if the amendment becomes effective
21 between January 2 and September 30, as of the next subsequent January 1 if the
22 amendment becomes effective between October 1 and December 31 and if the
23 effective date of the amendment is January 1 of any year, the redetermination shall
24 be made on that date. The tax incremental base as redetermined under this

1 paragraph is effective for the purposes of this section only if it exceeds the original
2 tax incremental base determined under par. (b).”.

3 **899.** Page 795, line 7: after that line insert:

4 “**SECTION 1630k.** 66.46 (6) (a) of the statutes is amended to read:

5 66.46 **(6)** (a) If the joint review board approves the creation of the tax
6 incremental district under sub. (4m), positive tax increments with respect to a tax
7 incremental district are allocated to the city which created the district for each year
8 commencing after the date when a project plan is adopted under sub. (4) (g). The
9 department of revenue shall not authorize allocation of tax increments until it
10 determines from timely evidence submitted by the city that each of the procedures
11 and documents required under sub. (4) (d) to (f) have been completed and all related
12 notices given in a timely manner. The department of revenue may authorize
13 allocation of tax increments for any tax incremental district only if the city clerk and
14 assessor annually submit to the department all required information on or before the
15 2nd Monday in June. The facts supporting any document adopted or action taken
16 to comply with sub. (4) (d) to (f) shall not be subject to review by the department of
17 revenue under this paragraph. Thereafter, the department of revenue shall
18 annually authorize allocation of the tax increment to the city that created such a
19 district until the department of revenue receives a notice under sub. (8) and the
20 notice has taken effect under sub. (8) (b), 27 years after the tax incremental district
21 is created if the district is created before October 1, 1995, 38 years after the tax
22 incremental district is created if the district is created before October 1, 1995, and
23 the project plan is amended under sub. (4) (h) 3. or 4. or 23 years after the tax

1 incremental district is created if the district is created after September 30, 1995,
2 whichever is sooner.”.

3 **900.** Page 795, line 7: after that line insert:

4 “**SECTION 1630ke.** 66.46 (6) (am) 2. c. of the statutes is created to read:

5 66.46 **(6)** (am) 2. c. Expenditures for project costs for Tax Incremental District
6 Number Six in a city with a population of at least 45,000 that is located in a county
7 that was created in 1853 and that is adjacent to one of the Great Lakes. Such
8 expenditures may be made no later than 13 years after the tax incremental district
9 is created, and may be made through December 31, 2004.”.

10 **901.** Page 795, line 7: after that line insert:

11 “**SECTION 1630ke.** 66.46 (6) (e) 1. b. of the statutes is amended to read:

12 66.46 **(6)** (e) 1. b. The Except as provided in subd. 1. c., the donor tax
13 incremental district and the recipient tax incremental district have been created
14 before October 1, 1995.

15 **SECTION 1630ki.** 66.46 (6) (e) 1. c. of the statutes is created to read:

16 66.46 **(6)** (e) 1. c. With respect to a tax incremental district that has been created
17 by a 1st class city, the donor tax incremental district and the recipient tax
18 incremental district have been created before October 1, 1996.”.

19 **902.** Page 796, line 2: after that line insert:

20 “**SECTION 1630q.** 66.46 (7) (ar) of the statutes is amended to read:

21 66.46 **(7)** (ar) Notwithstanding par. (am), 22 years after the last expenditure
22 identified in the project plan is made if the district to which the plan relates is created
23 before October 1, 1995, and the project plan is amended under sub. (4) (h) 3. or 4.”.

24 **903.** Page 796, line 24: delete lines 24 and 25 and substitute:

1 **“SECTION 1634a.** 66.462 (2) of the statutes is amended to read:”.

2 **904.** Page 797, line 1: delete “**(2)** (a)” and substitute “**(2)**”.

3 **905.** Page 797, line 7: delete “that is” and substitute “that is”.

4 **906.** Page 797, line 12: delete “. If the political”.

5 **907.** Page 797, line 13: delete lines 13 and 14.

6 **908.** Page 797, line 15: delete “the environmental pollution which is
7 remediated”.

8 **909.** Page 797, line 19: delete lines 19 to 21 and substitute:

9 “66.462 **(2)** (b) No expenditure for an eligible cost may be made by a political
10 subdivision later than 15 years after the environmental remediation tax incremental
11 base is certified by the department under sub. (4).”.

12 **910.** Page 798, line 18: delete lines 18 to 24.

13 **911.** Page 799, line 1: delete lines 1 to 9.

14 **912.** Page 800, line 2: after that line insert:

15 **“SECTION 1636s.** 66.462 (7) (a) of the statutes is amended to read:

16 66.462 **(7)** (a) Subject to pars. (b) ~~and~~, (c) and (d), the department shall annually
17 authorize the positive environmental remediation tax increment with respect to a
18 parcel of property during the period of certification to the political subdivision that
19 incurred the costs to remediate environmental pollution on the property, except that
20 an authorization granted under this paragraph does not apply after the department
21 receives the notice described under sub. (10) (b).

22 **SECTION 1636u.** 66.462 (7) (d) of the statutes is created to read:

66.462 (7) (d) 1. The department may not authorize a positive environmental remediation tax increment under par. (a) to pay otherwise eligible costs that are incurred by the political subdivision after the department of natural resources certifies to the department of revenue that environmental pollution on the parcel of property has been remediated unless the costs are associated with activities, as determined by the department of natural resources, that are necessary to close the site described in the site investigation report.

2. The department of natural resources shall certify to the department of revenue the completion of the remediation of environmental pollution at the site described in the site investigation report.”.

913. Page 800, line 13: delete the material beginning with that line and ending with page 806, line 9.

914. Page 806, line 12: delete “98.25%” and substitute “97.45%”.

915. Page 806, line 20: after that line insert:

“**SECTION 1640m.** 66.94 (9m) of the statutes is created to read:

66.94 (**9m**) LIMIT ON CONTRACTING FOR LIGHT RAIL. Notwithstanding any other provision of this section, no authority may enter into a contract for any purpose related to a light rail mass transit system if the cost of any of the contracted items would be paid for by, or reimbursed with, federal funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds received from the state. This subsection does not apply to any light rail mass transit system that is being constructed on the effective date of this subsection [revisor inserts date]. This subsection does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12

1 between Middleton and Lake Delton, Wisconsin, that was executed by the governor,
2 the secretary of transportation, the secretary of natural resources, the county
3 executive of Dane County, the administrative coordinator of Sauk County, and
4 others, and that became effective on April 22, 1999. This subsection does not apply
5 after June 30, 2001.”.

6 **916.** Page 806, line 20: after that line insert:

7 “**SECTION 1641m.** 66.904 (2) (a) of the statutes is amended to read:

8 66.904 (2) (a) Except for a contract awarded under pars. (f) to (j) and except as
9 provided in par. (b), all work done and all purchases of supplies and materials by the
10 commission shall be by contract awarded to the lowest responsible bidder complying
11 with the invitation to bid, if the work or purchase involves an expenditure of \$7,500
12 \$20,000 or more. If the commission decides to proceed with construction of any sewer
13 after plans and specifications for the sewer are completed and approved by the
14 commission and by the department of natural resources under ch. 281, the
15 commission shall advertise by a class 2 notice under ch. 985 for construction bids.
16 All contracts and the awarding of contracts are subject to s. 66.29, except for a
17 contract awarded under pars. (f) to (j).

18 **SECTION 1641no.** 66.904 (2) (e) of the statutes is amended to read:

19 66.904 (2) (e) Paragraphs (a) to (d) do not apply to contracts awarded under s.
20 66.905. Paragraphs (f) to (j) do apply to contracts awarded under s. 66.905.

21 **SECTION 1641q.** 66.904 (2) (f) to (j) of the statutes are created to read:

22 66.904 (2) (f) In this subsection, “design–build construction process” means a
23 procurement process under which the engineering, design and construction services
24 are provided by a single entity under a process described under par. (g).

1 (g) If the commission wishes to construct a public work under par. (j) using the
2 design–build construction process, the commission shall use a selection process that
3 contains the following procedures:

4 1. The commission shall issue a request for proposals from design–build teams
5 by publishing a class 1 notice under ch. 985. The notice shall include a project
6 statement that describes the space needs and design goals for the project, detailed
7 submission requirements, selection procedures, site information, an outline of
8 specifications for the project, a budget for the project, a project schedule, the
9 composition of the selection panel, the approximate amount of the bond that the
10 commission will require under par. (h) and whether the commission will offer a
11 stipend to unsuccessful design–build teams and, if so, the amount of the stipend.

12 2. Following receipt of the proposals, the commission shall select 5 or less
13 design–build teams to participate in the final stage of the selection process. The
14 selection of teams under this subdivision shall be based on factors that include the
15 background, experience and qualifications of the members of the teams; the financial
16 strength and surety capacity of the teams; the quality of the initial proposal; and the
17 past performance and current workload of the teams. The commission selection
18 panel that selects the teams under this subdivision for the final selection process
19 under subd. 3. may include design and construction professionals who work for the
20 commission or are hired by the commission to assist in the selection, commissioners
21 and representatives from the unit of the commission that will use the facility that is
22 to be constructed under the selection process described in this paragraph.

23 3. The commission shall make a final selection from among the teams selected
24 under subd. 2. if the commission determines that at least one of the teams selected
25 as a finalist under subd. 2. will be able to construct the public work in a way that is

1 satisfactory to the commission. The final selection shall be made following
2 interviews and presentations from the finalists, based on criteria that are published
3 as a class 1 notice under ch. 985. The notice shall state the weight that is given to
4 each criterion. The criteria to be used in making a final selection under this
5 subdivision may include the quality of the proposed design, the construction
6 approach to be used to complete the project, the extent to which a proposal
7 demonstrates compliance with the project statement described under subd. 1., the
8 proposed management plan for the project, the estimated cost of the project and a
9 guaranteed maximum price for the project.

10 (h) If the commission selects a design–build team under par. (g) 3. and enters
11 into a contract for the construction of the project, the design–build team shall obtain
12 bonding, in an amount specified by the commission, to guarantee completion of the
13 project according to the terms of the contract.

14 (i) 1. In this paragraph:

15 a. “Minority business” has the meaning given in s. 560.036 (1) (e).

16 b. “Minority group member” has the meaning given in s. 560.036 (1) (f).

17 c. “Women’s business” means a sole proprietorship, partnership, joint venture
18 or corporation that is at least 51% owned, controlled and actively managed by
19 women.

20 2. The commission shall ensure that, for construction work and professional
21 services contracts that relate to a public work under par. (j) for which the
22 design–build construction process is used, a person who is awarded such a contract
23 by the commission shall agree, as a condition to receiving the contract, that his or her
24 goal shall be to ensure that at least 25% of the employees hired because of the contract

1 will be minority group members and at least 5% of the employees hired because of the
2 contract will be women.

3 3. It shall be a goal of the commission to ensure that at least 25% of the
4 aggregate dollar value of all contracts awarded by the commission in the following
5 areas shall be awarded to minority businesses and at least 5% of the aggregate dollar
6 value of all contracts awarded by the commission in the following areas shall be
7 awarded to women's businesses:

8 a. Construction contracts that relate to a public work under par. (j) for which
9 the design-build construction process is used.

10 b. Professional services contracts that relate to a public work under par. (j) for
11 which the design-build construction process is used.

12 4. It shall be a goal of the commission, with regard to each of the contracts
13 described under subd. 3. a. and b., to award at least 25% of the dollar value of such
14 contracts to minority businesses and at least 5% of the dollar value of such contracts
15 to women's businesses.

16 5. a. The commission shall hire an independent person to monitor the
17 commission's compliance with minority contracting goals under subds. 2., 3. and 4.
18 The person hired shall have previous experience working with minority group
19 members. The commission shall develop a mechanism to receive regular reports
20 from the person hired with respect to the results of the person's studies of compliance
21 with minority contracting goals.

22 b. If the commission or a contractor is unable to meet the goals under subd. 2.,
23 3. or 4., the person hired under subd. 5. a. shall assess whether the commission or
24 contractor made a good faith effort to reach the goals. In determining whether a good

1 faith effort was made to meet the goals, the person hired shall consider all of the
2 factors listed in subd. 6.

3 6. The factors to be considered under subd. 5. b. are:

4 a. The supply of eligible minority businesses and women's businesses that have
5 the financial capacity, technical capacity and previous experience in the areas in
6 which contracts were awarded.

7 b. The competing demands for the services provided by eligible minority
8 businesses and women's businesses, as described in subd. 6. a., in areas in which
9 contracts were awarded.

10 c. The extent to which the commission or contractors advertised for and
11 aggressively solicited bids from eligible minority businesses and women's
12 businesses, as described in subd. 6. a., and the extent to which eligible minority
13 businesses and women's businesses submitted bids.

14 (j) Any contract for public construction under sub. (1), for any of the following
15 projects, may be let using the design-build construction process:

16 1. Central metropolitan interceptor sewer projects.

17 2. Any projects that are required to implement the department of natural
18 resources-approved 2010 facility plan.

19 3. Watercourse flood control projects for any of the following:

20 a. Menomonee River.

21 b. Root River.

22 c. Kinnickinnic River.

23 d. Lincoln Creek.”.

24 **917.** Page 808, line 25: after that line insert:

1 **“SECTION 1647c.** 67.04 (5) (b) 4. of the statutes is created to read:

2 67.04 (5) (b) 4. To pay unfunded prior service liability contributions under the
3 Wisconsin retirement system if all of the proceeds of the note will be used to pay for
4 such contributions.”.

5 **918.** Page 810, line 5: delete “Thirteen dollars and 40 cents” and substitute
6 “Fourteen dollars”.

7 **919.** Page 811, line 18: after that line insert:

8 **“SECTION 1653d.** 70.111 (3) of the statutes is amended to read:

9 70.111 (3) BOATS. Watercraft employed regularly in interstate traffic.
10 ~~Watercraft, watercraft~~ laid up for repairs.—~~All, all~~ pleasure watercraft used for
11 recreational purposes.—~~Commercial, commercial~~ fishing boats.—~~Charter and~~
12 equipment that is used by commercial fishing boats, charter sailboats and charter
13 boats, other than sailboats, that are used for tours.”.

14 **920.** Page 811, line 18: after that line insert:

15 **“SECTION 1653d.** 70.111 (24) of the statutes is created to read:

16 70.111 (24) MOTION PICTURE THEATER EQUIPMENT. Projection equipment, sound
17 systems and projection screens that are owned and used by a motion picture
18 theater.”.

19 **921.** Page 811, line 18: after that line insert:

20 **“SECTION 1653f.** 70.111 (25) of the statutes is created to read:

21 70.111 (25) DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment
22 owned and used by a radio station or a television station, except that this subsection
23 does not apply to digital broadcasting equipment that is owned and used by a cable
24 television system, as defined in s. 66.082 (2) (d).”.

1 **922.** Page 811, line 18: after that line insert:

2 “**SECTION 1653b.** 70.11 (39) of the statutes is amended to read:

3 70.11 **(39)** COMPUTERS. If the owner of the property fulfills the requirements
4 under s. 70.35, mainframe computers, minicomputers, personal computers,
5 networked personal computers, servers, terminals, monitors, disk drives, electronic
6 peripheral equipment, tape drives, printers, basic operational programs, systems
7 software, prewritten software and custom software. The exemption under this
8 subsection does not apply to automatic teller machines, fax machines, copiers,
9 equipment with embedded computerized components or telephone systems,
10 including equipment that is used to provide telecommunications services, as defined
11 in s. 76.80 (3).”.

12 **923.** Page 812, line 2: after that line insert:

13 “**SECTION 1660m.** 70.58 of the statutes is amended to read:

14 **70.58 Forestation state tax.** There is levied an annual tax of two–tenths of
15 one mill for each dollar of the assessed valuation of the property of the state as
16 determined by the department of revenue under s. 70.57, for the purpose of
17 acquiring, preserving and developing the forests of the state and for the purpose of
18 forest crop law and county forest law administration and aid payments, for grants
19 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
20 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax
21 to be paid into the conservation fund. The tax shall not be levied in any year in which
22 general funds are appropriated for the purposes specified in this section, equal to or
23 in excess of the amount which the tax would produce.”.

24 **924.** Page 812, line 2: after that line insert:

1 **“SECTION 1655L.** 70.32 (2) (c) 1. of the statutes is amended to read:

2 70.32 **(2)** (c) 1. “Agricultural land” means land, exclusive of buildings and
3 improvements, that is devoted primarily to agricultural use, as defined by rule,
4 except that “agricultural land” does not include land that generated less than \$2,000
5 in gross farm profits resulting from agricultural use as defined under s. 91.01 (1) in
6 the preceding year.”.

7 **925.** Page 812, line 2: after that line insert:

8 **“SECTION 1655p.** 70.337 (5) of the statutes is amended to read:

9 70.337 **(5)** Each person that is required to file a report under sub. (1) shall pay
10 a reasonable fee that is sufficient to defray the costs to the taxation district of
11 distributing and reviewing the forms under sub. (1) and of preparing the form for the
12 department of revenue under sub. (2). The amount of the fee shall be established by
13 the governing body of the taxation district. This subsection does not apply to a church
14 or religious association that is required to file a report under sub. (1).”.

15 **926.** Page 812, line 3: delete lines 3 to 16.

16 **927.** Page 822, line 6: delete lines 6 to 11.

17 **928.** Page 823, line 21: delete the material beginning with that line and
18 ending with page 824, line 17.

19 **929.** Page 825, line 14: after that line insert:

20 **“SECTION 1674v.** 71.04 (1) (a) of the statutes is amended to read:

21 71.04 **(1)** (a) All income or loss of resident individuals and resident estates and
22 trusts shall follow the residence of the individual, estate or trust. Income or loss of
23 nonresident individuals and nonresident estates and trusts from business, not
24 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the

1 business from which derived, except that all income that is realized from the sale of
2 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
3 were originally bought in this state shall be allocated to this state. All items of
4 income, loss and deductions of nonresident individuals and nonresident estates and
5 trusts derived from a tax-option corporation not requiring apportionment under
6 sub. (9) shall follow the situs of the business of the corporation from which derived,
7 except that all income that is realized from the sale of or purchase and subsequent
8 sale or redemption of lottery prizes if the winning tickets were originally bought in
9 this state shall be allocated to this state. Income or loss of nonresident individuals
10 and nonresident estates and trusts derived from rentals and royalties from real
11 estate or tangible personal property, or from the operation of any farm, mine or
12 quarry, or from the sale of real property or tangible personal property shall follow the
13 situs of the property from which derived. Income from personal services of
14 nonresident individuals, including income from professions, shall follow the situs of
15 the services. A nonresident limited partner's distributive share of partnership
16 income shall follow the situs of the business, except that all income that is realized
17 from the sale of or purchase and subsequent sale or redemption of lottery prizes if
18 the winning tickets were originally bought in this state shall be allocated to this
19 state. A nonresident limited liability company member's distributive share of
20 limited liability company income shall follow the situs of the business, except that
21 all income that is realized from the sale of or purchase and subsequent sale or
22 redemption of lottery prizes if the winning tickets were originally bought in this state
23 shall be allocated to this state. Income of nonresident individuals, estates and trusts
24 from the state lottery under ch. 565 is taxable by this state. Income of nonresident
25 individuals, estates and trusts from any multijurisdictional lottery under ch. 565 is

1 taxable by this state, but only if the winning lottery ticket or lottery share was
2 purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the
3 department. Income of nonresident individuals, nonresident trusts and nonresident
4 estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state.
5 Income of nonresident individuals, estates and trusts from winnings from a casino
6 or bingo hall that is located in this state and that is operated by a Native American
7 tribe or band shall follow the situs of the casino or bingo hall. All other income or loss
8 of nonresident individuals and nonresident estates and trusts, including income or
9 loss derived from land contracts, mortgages, stocks, bonds and securities or from the
10 sale of similar intangible personal property, shall follow the residence of such
11 persons, except as provided in par. (b) and sub. (9), except that all income that is
12 realized from the sale of or purchase and subsequent sale or redemption of lottery
13 prizes if the winning tickets were originally bought in this state shall be allocated
14 to this state.”.

15 **930.** Page 825, line 15: delete the material beginning with that line and
16 ending with page 829, line 15.

17 **931.** Page 829, line 19: after “of the service” insert “, except as provided in
18 subd. 4”.

19 **932.** Page 830, line 14: after that line insert:

20 “4. If the benefit of a service is received in this state, as provided under this
21 subsection, and the taxpayer submits evidence to the department that another state
22 that has jurisdiction to tax the service attributes the receipts from the service to that
23 state to determine the income that is taxable by that state, the taxpayer may elect,
24 by a method prescribed by the department, to attribute the receipts from the service

1 to this state in proportion to the direct cost of performing such service in this state
2 as compared to the total direct cost of performing the service in all states that have
3 jurisdiction to tax such service.”.

4 **933.** Page 830, line 15: delete the material beginning with that line and
5 ending with page 833, line 8.

6 **934.** Page 833, line 8: after that line insert:

7 “**SECTION 1682pd.** 71.04 (9) of the statutes is amended to read:

8 71.04 (9) NONRESIDENT INCOME FROM MULTISTATE TAX-OPTION CORPORATION.
9 Nonresident individuals and nonresident estates and trusts deriving income from a
10 tax-option corporation which is engaged in business within and without this state
11 shall be taxed only on the income of the corporation derived from business transacted
12 and property located in this state and losses and other items of the corporation
13 deductible by such shareholders shall be limited to their proportionate share of the
14 Wisconsin loss or other item, except that all income that is realized from the sale of
15 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
16 were originally bought in this state shall be allocated to this state. For purposes of
17 this subsection, all intangible income of tax-option corporations passed through to
18 shareholders is business income that follows the situs of the business, except that all
19 income that is realized from the sale of or purchase and subsequent sale or
20 redemption of lottery prizes if the winning tickets were originally bought in this state
21 shall be allocated to this state.”.

22 **935.** Page 834, line 22: after that line insert:

23 “**SECTION 1685c.** 71.05 (6) (b) 9. of the statutes is amended to read:

1 71.05 (6) (b) 9. On assets held more than one year and on all assets acquired
2 from a decedent, 60% of the capital gain as computed under the internal revenue
3 code, not including capital gains for which the federal tax treatment is determined
4 under section 406 of P.L. 99–514 ~~and; not including amounts treated as ordinary~~
5 income for federal income tax purposes because of the recapture of depreciation or
6 any other reason; and not including amounts treated as capital gain for federal
7 income tax purposes from the sale or exchange of a lottery prize. For purposes of this
8 subdivision, the capital gains and capital losses for all assets shall be netted before
9 application of the percentage.”.

10 **936.** Page 836, line 7: after that line insert:

11 “**SECTION 1688f.** 71.05 (6) (b) 30. of the statutes is created to read:

12 71.05 (6) (b) 30. For taxable years beginning after December 31, 1998, any
13 settlement received for claims against any person for any recovered assets, or any
14 amount of assets or any gain generated on such assets, that were stolen from, hidden
15 from or otherwise lost by an individual who was persecuted by Nazi Germany or any
16 Axis regime during any period from 1933 to 1945 and have been recovered, returned
17 or otherwise paid to the original victim or his or her heirs or beneficiaries. The assets
18 to which this subdivision applies includes cash, bonds, stocks, deposits in a financial
19 institution, proceeds from a life or other type of insurance policy, jewelry, precious
20 metals, artwork or any other item of value owned by such a victim during any period
21 from 1920 to 1945.”.

22 **937.** Page 836, line 7: after that line insert:

23 “**SECTION 1688h.** 71.05 (6) (b) 31. of the statutes is created to read:

1 71.05 **(6)** (b) 31. An amount paid by an employer to an employee for the purchase
2 of a public transportation pass, token or fare card, or the value of such a pass, token
3 or fare card provided by an employer to an employee, if the money provided for, or the
4 value of, the pass, token or fare card exceeds the amount that may be excluded from
5 federal gross income under section 132 (a) (5) of the Internal Revenue Code for a
6 transit pass under section 132 (f) (1) (B) of the Internal Revenue Code per month.”.

7 **938.** Page 847, line 6: after that line insert:

8 “**SECTION 1707g.** 71.07 (2di) (a) (intro.) of the statutes is amended to read:

9 71.07 **(2di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
10 for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled
11 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
12 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
13 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
14 personal property that is expensed under section 179 of the internal revenue code for
15 purposes of the taxes under this chapter, except that:

16 **SECTION 1707h.** 71.07 (2di) (a) 1. of the statutes is amended to read:

17 71.07 **(2di)** (a) 1. The investment must be in property that is purchased after
18 the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
19 tax benefits and that is used for at least 50% of its use in the conduct of the person's
20 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
21 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
22 the base of operations of the property for at least 50% of its use must be a location
23 in a development zone.

24 **SECTION 1707j.** 71.07 (2di) (d) 1. of the statutes is amended to read:

1 71.07 (2di) (d) 1. A copy of the claimant's certification for a verification from
2 the department of commerce that the claimant may claim tax benefits under s.
3 ~~560.765 (3)~~ 560.795 (3).

4 **SECTION 1707k.** 71.07 (2di) (f) of the statutes is amended to read:

5 71.07 (2di) (f) If ~~the certification of a person for who is entitled under s. 560.795~~
6 (3) to claim tax benefits under s. ~~560.765 (3)~~ is revoked becomes ineligible for such
7 tax benefits, that person may claim no credits under this subsection for the taxable
8 year that includes the day on which the ~~certification is revoked~~ person becomes
9 ineligible for tax benefits or succeeding taxable years and that person may carry over
10 no unused credits from previous years to offset tax under this chapter for the taxable
11 year that includes the day on which ~~certification is revoked~~ the person becomes
12 ineligible for tax benefits or succeeding taxable years.

13 **SECTION 1707L.** 71.07 (2di) (g) of the statutes is amended to read:

14 71.07 (2di) (g) If a person who is ~~certified under s. 560.765 (3)~~ for entitled under
15 s. 560.795 (3) to claim tax benefits ceases business operations in the development
16 zone during any of the taxable years that that zone exists, that person may not carry
17 over to any taxable year following the year during which operations cease any
18 unused credits from the taxable year during which operations cease or from previous
19 taxable years.

20 **SECTION 1707m.** 71.07 (2di) (i) of the statutes is amended to read:

21 71.07 (2di) (i) No credit may be claimed under this subsection for taxable years
22 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before
23 January 1, 2000. Credits under this subsection for taxable years that begin before
24 January 1, 1998, may be carried forward to taxable years that begin on January 1,
25 1998, or thereafter.”.

1 **939.** Page 848, line 2: delete the material beginning with “certified” and
2 ending with “(3)” on line 3 and substitute “entitled under s. 560.795 (3) to claim tax
3 benefits or certified under s. 560.765 (3) or 560.797 (4)”.

4 **940.** Page 848, line 11: after that line insert:

5 “**SECTION 1709b.** 71.07 (2dx) (c) of the statutes is amended to read:

6 71.07 **(2dx)** (c) *Credit precluded.* If the certification of a person for tax benefits
7 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
8 tax benefits under s. 560.795 (3). that person may not claim credits under this
9 subsection for the taxable year that includes the day on which the certification is
10 revoked; the taxable year that includes the day on which the person becomes
11 ineligible for tax benefits; or succeeding taxable years and that person may not carry
12 over unused credits from previous years to offset tax under this chapter for the
13 taxable year that includes the day on which certification is revoked; the taxable year
14 that includes the day on which the person becomes ineligible for tax benefits; or
15 succeeding taxable years.

16 **SECTION 1709bb.** 71.07 (2dx) (d) of the statutes is amended to read:

17 71.07 **(2dx)** (d) *Carry-over precluded.* If a person who is entitled under s.
18 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
19 benefits ceases business operations in the development zone during any of the
20 taxable years that that zone exists, that person may not carry over to any taxable
21 year following the year during which operations cease any unused credits from the
22 taxable year during which operations cease or from previous taxable years.”.

23 **941.** Page 849, line 3: delete lines 3 to 7.

24 **942.** Page 849, line 7: after that line insert:

1 **“SECTION 1710db.** 71.07 (3m) (b) 1. a. of the statutes is amended to read:

2 71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and
3 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
4 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
5 claim exceeds the income taxes otherwise due on the claimant’s income or if there are
6 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not
7 used as an offset against income taxes shall be certified to the department of
8 administration for payment to the claimant by check, share draft or other draft paid
9 from the appropriation appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

10 **SECTION 1710dc.** 71.07 (3m) (b) 1. a. of the statutes, as affected by 1999
11 Wisconsin Act (this act), is repealed and recreated to read:

12 71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and
13 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
14 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
15 claim exceeds the income taxes otherwise due on the claimant’s income or if there are
16 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not
17 used as an offset against income taxes shall be certified to the department of
18 administration for payment to the claimant by check, share draft or other draft paid
19 from the appropriations under s. 20.835 (2) (ka) and (q).

20 **SECTION 1710dd.** 71.07 (3m) (c) 3. of the statutes, as created by 1999 Wisconsin
21 Act 5, is amended to read:

22 71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is
23 used to determine the amount of a claim under subd. 1. based on the estimated
24 number of claims and the amount estimated to be expended from the appropriation
25 under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall

1 incorporate the annually adjusted percentage into the income tax forms and
2 instructions.

3 **SECTION 1710de.** 71.07 (3m) (c) 3. of the statutes, as affected by 1999 Wisconsin
4 Act (this act), is repealed and recreated to read:

5 71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is
6 used to determine the amount of a claim under subd. 1. based on the estimated
7 number of claims and the amount estimated to be expended from the appropriation
8 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
9 incorporate the annually adjusted percentage into the income tax forms and
10 instructions.”.

11 **943.** Page 849, line 13: after “labor union” insert “, to travel expenses or to
12 home office expenses”.

13 **944.** Page 849, line 18: delete lines 18 to 20.

14 **945.** Page 850, line 3: after that line insert:

15 “**SECTION 1715m.** 71.07 (6m) of the statutes is created to read:

16 71.07 **(6m)** ARMED FORCES MEMBER TAX CREDIT. (a) *Definitions.* In this
17 subsection:

18 1. “Claimant” means an active duty member of the U.S. armed forces, as
19 defined in 26 USC 7701 (a) (15).

20 2. “Military income” means an amount of basic, special or incentive pay income,
21 as those terms are used in 37 USC chapters 3 and 5, received by a claimant from the
22 federal government.

23 (b) *Filing claims.* Subject to the limitations and conditions provided in this
24 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,

1 up to the amount of those taxes, an amount up to \$200 of military income for services
2 performed by the claimant while he or she is stationed outside of the United States.

3 (c) *Limitations and conditions.* 1. No credit may be allowed under this
4 subsection unless it is claimed within the time period under s. 71.75 (2).

5 2. Part-year residents and nonresidents of this state are not eligible for the
6 credit under this subsection.

7 3. If both spouses of a married couple meet the definition of claimant under par.
8 (a) 1., each spouse may claim the credit under this subsection.

9 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
10 under that subsection, applies to the credit under this subsection.”.

11 **946.** Page 850, line 6: after that line insert:

12 “**SECTION 1716m.** 71.07 (9) (b) 1. of the statutes is amended to read:

13 71.07 **(9)** (b) 1. Subject to the limitations under this subsection and except as
14 provided in ~~subd.~~ subds. 2. and 3., a claimant may claim as a credit against, but not
15 to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of property taxes
16 or rent constituting property taxes, or 10% of the first \$1,000 of property taxes or rent
17 constituting property taxes of a married person filing separately.

18 **SECTION 1716p.** 71.07 (9) (b) 3. of the statutes is created to read:

19 71.07 **(9)** (b) 3. For taxable years beginning after December 31, 1999, and before
20 January 1, 2001, subject to the limitations under this subsection, a claimant may
21 claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 6.4%
22 of the first \$2,000 of property taxes or rent constituting property taxes, or 6.4% of the
23 first \$1,000 of property taxes or rent constituting property taxes of a married person
24 filing separately.”.

1 **947.** Page 850, line 9: delete “1999” and substitute “2000”.

2 **948.** Page 850, line 17: delete lines 17 to 22

3 **949.** Page 851, line 2: after “(6)” insert “, (6m)”.

4 **950.** Page 851, line 7: after that line insert:

5 “**SECTION 1719j.** 71.10 (4) (cm) of the statutes is created to read:

6 71.10 **(4)** (cm) The armed forces member tax credit under s. 71.07 (6m).”.

7 **951.** Page 852, line 3: delete the material beginning with that line and ending
8 with page 853, line 8, and substitute:

9 “**SECTION 1721es.** 71.14 (3) (intro.) of the statutes is amended to read:

10 71.14 **(3)** (intro.) Except as provided in sub. (2) and s. 71.04 (1) (b) 2., trusts
11 created by contract, declaration of trust or implication of law that are made
12 irrevocable before the effective date of this subsection [revisor inserts date], shall
13 be considered resident at the place where the trust is being administered. The
14 following trusts shall be considered to be administered in the state of domicile of the
15 corporate trustee of the trust at any time that the grantor of the trust is not a resident
16 of this state:

17 **SECTION 1721it.** 71.14 (3m) of the statutes is created to read:

18 71.14 **(3m)** (a) Subject to par. (b) and except as provided in sub. (2) and s. 71.04
19 (1) (b) 2., only the following trusts, or portions of trusts, which become irrevocable
20 on or after the effective date of this paragraph [revisor inserts date], are resident
21 of this state:

22 1. Trusts, or portions of trusts, the assets of which consist of property placed
23 in the trust by a person who is a resident of this state at the time that the property

1 was placed in the trust if, at the time that the assets were placed in the trust, the trust
2 was irrevocable.

3 2. Trusts, or portions of trusts, the assets of which consist of property placed
4 in the trust by a person who is a resident of this state at the time that the trust
5 became irrevocable if, at the time that the property was placed in the trust, the trust
6 was revocable.

7 (b) A trust described under par. (a):

8 1. Is revocable if the person whose property constitutes the trust may revest
9 title to the property in that person.

10 2. Is irrevocable if the power to revest title, as described in par. (a), does not
11 exist.”.

12 **952.** Page 853, line 14: delete lines 14 to 18.

13 **953.** Page 853, line 23: delete the material beginning with that line and
14 ending with page 854, line 7.

15 **954.** Page 854, line 11: delete that line and substitute “state for pecuniary
16 gain, if the income from the partnership or company is unitary or operational income
17 of the taxpayer or a direct or indirect affiliate of the taxpayer or if such income has
18 a taxable presence in this state. “Doing business” also includes issuing credit, debit
19 or travel and entertainment cards to customers in this state.”.

20 **955.** Page 854, line 12: delete lines 12 to 17.

21 **956.** Page 873, line 19: after “both” insert “, or that buy or sell lottery prizes
22 if the winning tickets were originally bought in this state”.

23 **957.** Page 873, line 21: after that line insert:

24 **“SECTION 1722yb.** 71.23 (2) of the statutes is amended to read:

1 71.23 (2) FRANCHISE TAX. For the privilege of exercising its franchise, buying
2 or selling lottery prizes if the winning tickets were originally bought in this state or
3 doing business in this state in a corporate capacity, except as provided under sub. (3),
4 every domestic or foreign corporation, except corporations specified in s. 71.26 (1),
5 and every nuclear decommissioning trust or reserve fund shall annually pay a
6 franchise tax according to or measured by its entire Wisconsin net income of the
7 preceding taxable year at the rate set forth in s. 71.27 (2). In addition, except as
8 provided in sub. (3) and s. 71.26 (1), a corporation that ceases doing business in this
9 state and a nuclear decommissioning trust or reserve fund that is terminated shall
10 pay a special franchise tax according to or measured by its entire Wisconsin net
11 income for the taxable year during which the corporation ceases doing business in
12 this state or the nuclear decommissioning trust or reserve fund is terminated at the
13 rates under s. 71.27 (2). Every corporation organized under the laws of this state
14 shall be deemed to be residing within this state for the purposes of this franchise tax.
15 All provisions of this chapter and ch. 73 relating to income taxation of corporations
16 shall apply to franchise taxes imposed under this subsection, unless the context
17 requires otherwise. The tax imposed by this subsection on national banking
18 associations shall be in lieu of all taxes imposed by this state on national banking
19 associations to the extent it is not permissible to tax such associations under federal
20 law.

21 **SECTION 1722ym.** 71.25 (5) (b) of the statutes is amended to read:

22 71.25 (5) (b) *Nonapportionable income.* 1. Income, gain or loss from the sale
23 of nonbusiness real property or nonbusiness tangible personal property, rental of
24 nonbusiness real property or nonbusiness tangible personal property and royalties
25 from nonbusiness real property or nonbusiness tangible personal property are

1 nonapportionable and shall be allocated to the situs of the property, except that all
2 income that is realized from the sale of or purchase and subsequent sale or
3 redemption of lottery prizes if the winning tickets were originally bought in this state
4 shall be allocated to this state.

5 2. All income, gain or loss from intangible property that is earned by a personal
6 holding company, as defined in section 542 of the internal revenue code, as amended
7 to December 31, 1974, shall be allocated to the residence of the taxpayer, except that
8 all income that is realized from the sale of or purchase and subsequent sale or
9 redemption of lottery prizes if the winning tickets were originally bought in this state
10 shall be allocated to this state.”.

11 **958.** Page 873, line 21: after that line insert:

12 “**SECTION 1722yc.** 71.23 (3) (d) of the statutes is created to read:

13 71.23 (3) (d) The storage for no more than 90 days in this state in or on property
14 owned by a person, other than the foreign corporation, of the foreign corporation’s
15 tangible personal property, if the tangible personal property is transferred to the
16 person and is used in this state by the person for fabricating, processing,
17 manufacturing or printing on the parcel of property in or on which the tangible
18 personal property is stored and if the parcel of property has an assessed value, for
19 property tax purposes, of at least \$10,000,000 but no more than \$11,000,000 on
20 January 1, 1999.”.

21 **959.** Page 873, line 21: after that line insert:

22 “**SECTION 1722yd.** 71.25 (5) (a) (intro.) of the statutes is amended to read:

23 71.25 (5) (a) *Apportionable income.* (intro.) Except as provided in sub. (6),
24 corporations engaged in business both within and without this state are subject to

1 apportionment. Income gain or loss from the sources listed in this paragraph is
2 presumed apportionable as unitary or operational income or other income that has
3 a taxable presence in this state. Apportionable income includes all income or loss of
4 corporations, other than nonapportionable income as specified in par. (b), including,
5 but not limited to, income, gain or loss from the following sources.”.

6 **960.** Page 873, line 22: delete the material beginning with that line and
7 ending with page 877, line 22.

8 **961.** Page 878, line 1: after “of the service” insert “, except as provided in subd.
9 4”.

10 **962.** Page 878, line 21: after that line insert:

11 “4. If the benefit of a service is received in this state, as provided under this
12 subsection, and the taxpayer submits evidence to the department that another state
13 that has jurisdiction to tax the service attributes the receipts from the service to that
14 state to determine the income that is taxable by that state, the taxpayer may elect,
15 by a method prescribed by the department, to attribute the receipts from the service
16 to this state in proportion to the direct cost of performing such service in this state
17 as compared to the total direct cost of performing the service in all states that have
18 jurisdiction to tax such service.”.

19 **963.** Page 878, line 22: delete the material beginning with that line and
20 ending with page 888, line 14.

21 **964.** Page 888, line 25: after that line insert:

22 “**SECTION 1738t.** 71.26 (1) (a) of the statutes is amended to read:

23 71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.
24 185, except income of a cooperative sickness care association organized under s.

1 185.981, or of a service insurance corporation organized under ch. 613, that is derived
2 from a health maintenance organization as defined in s. 609.01 (2) or a limited
3 service health organization as defined in s. 609.01 (3), or operating under subch. I
4 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any
5 shareholder or member, or operated on a cooperative plan pursuant to which they
6 determine and distribute their proceeds in substantial compliance with s. 185.45,
7 and the income, except the unrelated business taxable income as defined in section
8 512 of the internal revenue code and except income that is derived from a health
9 maintenance organization as defined in s. 609.01 (2) or a limited service health
10 organization as defined in s. 609.01 (3), of all religious, scientific, educational,
11 benevolent or other corporations or associations of individuals not organized or
12 conducted for pecuniary profit. This paragraph does not apply to the income of
13 savings banks, mutual loan corporations or savings and loan associations. This
14 paragraph does not apply to income that is realized from the sale of or purchase and
15 subsequent sale or redemption of lottery prizes if the winning tickets were originally
16 bought in this state. This paragraph applies to the income of credit unions except to
17 the income of any credit union that is derived from public deposits for any taxable
18 year in which the credit union is approved as a public depository under ch. 34 and
19 acts as a depository of state or local funds under s. 186.113 (20). For purposes of this
20 paragraph, the income of a credit union that is derived from public deposits is the
21 product of the credit union's gross annual income for the taxable year multiplied by
22 a fraction, the numerator of which is the average monthly balance of public deposits
23 in the credit union during the taxable year, and the denominator of which is the
24 average monthly balance of all deposits in the credit union during the taxable year.”.

1 **965.** Page 910, line 18: after that line insert:

2 “**SECTION 1740n.** 71.26 (3) (L) of the statutes is amended to read:

3 71.26 **(3)** (L) Section 265 is excluded and replaced by the rule that any amount
4 otherwise deductible under this chapter that is directly or indirectly related to
5 income wholly exempt from taxes imposed by this chapter or to losses from the sale
6 or other disposition of assets the gain from which would be exempt under this
7 paragraph if the assets were sold or otherwise disposed of at a gain is not deductible.
8 In this paragraph, “wholly exempt income”, for corporations subject to franchise or
9 income taxes, includes ~~amounts received from affiliated or subsidiary corporations~~
10 ~~for interest, dividends or capital gains that, because of the degree of common~~
11 ~~ownership, control or management between the payor and payee,~~ are not subject to
12 taxes under this chapter. In this paragraph, “wholly exempt income”, for
13 corporations subject to income taxation under this chapter, also includes interest on
14 obligations of the United States. In this paragraph, “wholly exempt income” does not
15 include income excludable, not recognized, exempt or deductible under specific
16 provisions of this chapter. If any expense or amount otherwise deductible is
17 indirectly related both to wholly exempt income or loss and to other income or loss,
18 a reasonable proportion of the expense or amount shall be allocated to each type of
19 income or loss, in light of all the facts and circumstances.”.

20 **966.** Page 911, line 6: after that line insert:

21 “**SECTION 1741n.** 71.28 (1di) (a) (intro.) of the statutes is amended to read:

22 71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
23 for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled
24 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against

1 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
2 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
3 personal property that is expensed under section 179 of the internal revenue code for
4 purposes of the taxes under this chapter, except that:

5 **SECTION 1741o.** 71.28 (1di) (a) 1. of the statutes is amended to read:

6 71.28 (1di) (a) 1. The investment must be in property that is purchased after
7 the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
8 tax benefits and that is used for at least 50% of its use in the conduct of the person's
9 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
10 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
11 the base of operations of the property for at least 50% of its use must be a location
12 in a development zone.

13 **SECTION 1741p.** 71.28 (1di) (d) 1. of the statutes is amended to read:

14 71.28 (1di) (d) 1. A copy of ~~the claimant's certification for~~ a verification from
15 the department of commerce that the claimant may claim tax benefits under s.
16 ~~560.765 (3)~~ 560.795 (3).

17 **SECTION 1741pm.** 71.28 (1di) (f) of the statutes is amended to read:

18 71.28 (1di) (f) ~~If the certification of a person for~~ who is entitled under s. 560.795
19 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such
20 tax benefits, that person may claim no credits under this subsection for the taxable
21 year that includes the day on which the certification ~~is revoked~~ person becomes
22 ineligible for tax benefits or succeeding taxable years and that person may carry over
23 no unused credits from previous years to offset tax under this chapter for the taxable
24 year that includes the day on which ~~certification is revoked~~ the person becomes
25 ineligible for tax benefits or succeeding taxable years.

1 **SECTION 1741pn.** 71.28 (1di) (g) of the statutes is amended to read:

2 71.28 (1di) (g) If a person who is certified under s. 560.765 (3) for entitled under
3 s. 560.795 (3) to claim tax benefits ceases business operations in the development
4 zone during any of the taxable years that that zone exists, that person may not carry
5 over to any taxable year following the year during which operations cease any
6 unused credits from the taxable year during which operations cease or from previous
7 taxable years.

8 **SECTION 1741pp.** 71.28 (1di) (j) of the statutes is amended to read:

9 71.28 (1di) (j) No credit may be claimed under this subsection for taxable years
10 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before
11 January 1, 2000. Credits under this subsection for taxable years that begin before
12 January 1, 1998, may be carried forward to taxable years that begin on January 1,
13 1998, or thereafter.”.

14 **967.** Page 912, line 2: delete the material beginning with “certified” and
15 ending with “(3)” on line 3 and substitute “entitled under s. 560.795 (3) to claim tax
16 benefits or certified under s. 560.765 (3) or 560.797 (4)”.

17 **968.** Page 912, line 12: after that line insert:

18 “**SECTION 1743b.** 71.28 (1dx) (c) of the statutes is amended to read:

19 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
20 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
21 tax benefits under s. 560.795 (3), that person may not claim credits under this
22 subsection for the taxable year that includes the day on which the certification is
23 revoked; the taxable year that includes the day on which the person becomes
24 ineligible for tax benefits; or succeeding taxable years and that person may not carry

1 over unused credits from previous years to offset tax under this chapter for the
2 taxable year that includes the day on which certification is revoked; the taxable year
3 that includes the day on which the person becomes ineligible for tax benefits; or
4 succeeding taxable years.

5 **SECTION 1743bb.** 71.28 (1dx) (d) of the statutes is amended to read:

6 71.28 **(1dx)** (d) *Carry-over precluded.* If a person who is entitled under s.
7 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
8 benefits ceases business operations in the development zone during any of the
9 taxable years that that zone exists, that person may not carry over to any taxable
10 year following the year during which operations cease any unused credits from the
11 taxable year during which operations cease or from previous taxable years.”.

12 **969.** Page 913, line 3: delete the material beginning with that line and ending
13 with page 914, line 4.

14 **970.** Page 913, line 7: after that line insert:

15 “**SECTION 1744bd.** 71.28 (2m) (b) 1. a. of the statutes is amended to read:

16 71.28 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and
17 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
18 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
19 amount of claim exceeds the income or franchise taxes otherwise due on or measured
20 by the claimant’s income or if there are no Wisconsin income or franchise taxes due
21 on or measured by the claimant’s income, the amount of the claim not used as an
22 offset against income or franchise taxes shall be certified to the department of
23 administration for payment to the claimant by check, share draft or other draft paid
24 from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

1 **SECTION 1744be.** 71.28 (2m) (b) 1. a. of the statutes, as affected by 1999
2 Wisconsin Act (this act), is repealed and recreated to read:

3 **71.28 (2m)** (b) 1. a. Subject to the limitations provided in this subsection and
4 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
5 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
6 claim exceeds the income taxes otherwise due on the claimant's income or if there are
7 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
8 used as an offset against income taxes shall be certified to the department of
9 administration for payment to the claimant by check, share draft or other draft paid
10 from the appropriations under s. 20.835 (2) (ka) and (q).

11 **SECTION 1744bf.** 71.28 (2m) (c) 3. of the statutes, as created by 1999 Wisconsin
12 Act 5, is amended to read:

13 **71.28 (2m)** (c) 3. The department shall annually adjust the percentage that is
14 used to determine the amount of a claim under subd. 1. based on the estimated
15 number of claims and the amount estimated to be expended from the appropriation
16 under s. 20.835 (2) (~~q~~) (dn), as determined under s. 79.13. The department shall
17 incorporate the annually adjusted percentage into the income tax forms and
18 instructions.

19 **SECTION 1744bg.** 71.28 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin
20 Act (this act), is repealed and recreated to read:

21 **71.28 (2m)** (c) 3. The department shall annually adjust the percentage that is
22 used to determine the amount of a claim under subd. 1. based on the estimated
23 number of claims and the amount estimated to be expended from the appropriation
24 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall

1 incorporate the annually adjusted percentage into the income tax forms and
2 instructions.”.

3 **971.** Page 927, line 8: after that line insert:

4 “**SECTION 1748Ln.** 71.362 (1) of the statutes is amended to read:

5 71.362 (1) All tax–option items of nonresident individuals, nonresident estates
6 and nonresident trusts derived from a tax–option corporation not requiring
7 apportionment under sub. (2) shall follow the situs of the business of the corporation
8 from which they are derived, except that all income that is realized from the sale of
9 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
10 were originally bought in this state shall be allocated to this state.

11 **SECTION 1748Ln.** 71.362 (2) of the statutes is amended to read:

12 71.362 (2) Nonresident individuals, nonresident estates and nonresident
13 trusts deriving income from a tax–option corporation which is engaged in business
14 within and without this state shall be taxed only on the income of the corporation
15 derived from business transacted and property located in this state and losses and
16 other items of the corporation deductible by such shareholders shall be limited to
17 their proportionate share of the Wisconsin loss or other item, except that all income
18 that is realized from the sale of or purchase and subsequent sale or redemption of
19 lottery prizes if the winning tickets were originally bought in this state shall be
20 allocated to this state. For purposes of this subsection, all intangible income of
21 tax–option corporations passed through to shareholders is business income that
22 follows the situs of the business, except that all income that is realized from the sale
23 of or purchase and subsequent sale or redemption of lottery prizes if the winning
24 tickets were originally bought in this state shall be allocated to this state.”.

1 **972.** Page 937, line 24: after “both” insert “, or that buy or sell lottery prizes
2 if the winning tickets were originally bought in this state”.

3 **973.** Page 938, line 2: after that line insert:

4 “**SECTION 1748yb.** 71.43 (2) of the statutes is amended to read:

5 71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its
6 franchise, buying or selling lottery prizes if the winning tickets were originally
7 bought in this state or doing business in this state in a corporate capacity, except as
8 provided under s. 71.23 (3), every domestic or foreign corporation, except
9 corporations specified in ss. 71.26 (1) and 71.45 (1), shall annually pay a franchise
10 tax according to or measured by its entire Wisconsin net income of the preceding
11 taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in
12 ss. 71.23 (3), 71.26 (1) and 71.45 (1), a corporation that ceases doing business in this
13 state shall pay a special franchise tax according to or measured by its entire
14 Wisconsin net income for the taxable year during which the corporation ceases doing
15 business in this state at the rate under s. 71.46 (2). Every corporation organized
16 under the laws of this state shall be deemed to be residing within this state for the
17 purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to
18 income taxation of corporations shall apply to franchise taxes imposed under this
19 subsection, unless the context requires otherwise. The tax imposed by this
20 subsection on insurance companies subject to taxation under this chapter shall be
21 based on Wisconsin net income computed under s. 71.45, and no other provision of
22 this chapter relating to computation of taxable income for other corporations shall
23 apply to such insurance companies. All other provisions of this chapter shall apply

1 to insurance companies subject to taxation under this chapter unless the context
2 clearly requires otherwise.

3 **SECTION 1748ym.** 71.45 (1) of the statutes is amended to read:

4 71.45 (1) EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation
5 under this subchapter income of insurers exempt from federal income taxation
6 pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized
7 under or subject to ch. 612, foreign insurers, and domestic insurers engaged
8 exclusively in life insurance business, domestic insurers insuring against financial
9 loss by reason of nonpayment of principal, interest and other sums agreed to be paid
10 under the terms of any note or bond or other evidence of indebtedness secured by a
11 mortgage, deed of trust or other instrument constituting a lien or charge on real
12 estate and corporations organized under ch. 185, but not including income of
13 cooperative sickness care associations organized under s. 185.981, or of a service
14 insurance corporation organized under ch. 613, that is derived from a health
15 maintenance organization as defined in s. 609.01 (2) or a limited service health
16 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which
17 are bona fide cooperatives operated without pecuniary profit to any shareholder or
18 member, or operated on a cooperative plan pursuant to which they determine and
19 distribute their proceeds in substantial compliance with s. 185.45. This subsection
20 does not apply to income that is realized from the sale of or purchase and subsequent
21 sale or redemption of lottery prizes if the winning tickets were originally bought in
22 this state.”.

23 **974.** Page 938, line 23: after that line insert:

24 “**SECTION 1749p.** 71.45 (2) (a) 15. of the statutes is created to read:

1 71.45 **(2)** (a) 15. By subtracting from federal taxable income all income that is
2 realized from the purchase and subsequent sale or redemption of lottery prizes that
3 is treated as nonapportionable income under sub. (3r).”.

4 **975.** Page 938, line 24: delete the material beginning with that line and
5 ending with page 941, line 10.

6 **976.** Page 941, line 10: after that line insert:

7 “**SECTION 1753d.** 71.45 (3r) of the statutes is created to read:

8 71.45 **(3r)** ALLOCATION OF CERTAIN PROCEEDS. All income that is realized from
9 the purchase and subsequent sale or redemption of lottery prizes if the winning
10 tickets were originally bought in this state shall be allocated to this state.”.

11 **977.** Page 941, line 21: after that line insert:

12 “**SECTION 1753m.** 71.46 (3) of the statutes is amended to read:

13 71.46 **(3)** The tax imposed under this subchapter on each domestic insurer on
14 or measured by its entire net income attributable to lines of insurance in this state
15 may not exceed 2% of the gross premiums, as defined in s. 76.62, received during the
16 taxable year by the insurer on all policies on those lines of insurance if the subject
17 of that insurance was resident, located or to be performed in this state plus 7.9% of
18 the income that is realized from the sale of or purchase and subsequent sale or
19 redemption of lottery prizes if the winning tickets were originally bought in this
20 state.”.

21 **978.** Page 941, line 21: after that line insert:

22 “**SECTION 1754g.** 71.47 (1di) (a) (intro.) of the statutes is amended to read:

23 71.47 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
24 for any taxable year for which the person is certified under s. 560.765 (3) for entitled

1 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
2 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
3 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
4 personal property that is expensed under section 179 of the internal revenue code for
5 purposes of the taxes under this chapter, except that:

6 **SECTION 1754h.** 71.47 (1di) (a) 1. of the statutes is amended to read:

7 71.47 **(1di)** (a) 1. The investment must be in property that is purchased after
8 the person is certified under s. 560.765 (3) for entitled under s. 560.795 (3) to claim
9 tax benefits and that is used for at least 50% of its use in the conduct of the person's
10 business operations for which the claimant is certified under s. 560.765 (3) at a
11 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
12 the base of operations of the property for at least 50% of its use must be a location
13 in a development zone.

14 **SECTION 1754j.** 71.47 (1di) (d) 1. of the statutes is amended to read:

15 71.47 **(1di)** (d) 1. A copy of the ~~claimant's certification for~~ a verification from
16 the department of commerce that the claimant may claim tax benefits under s.
17 ~~560.765 (3)~~ 560.795 (3).

18 **SECTION 1754k.** 71.47 (1di) (f) of the statutes is amended to read:

19 71.47 **(1di)** (f) If ~~the certification of a person for~~ who is entitled under s. 560.795
20 (3) to claim tax benefits under s. ~~560.765 (3)~~ is revoked becomes ineligible for such
21 tax benefits, that person may claim no credits under this subsection for the taxable
22 year that includes the day on which the ~~certification is revoked~~ person becomes
23 ineligible for tax benefits or succeeding taxable years and that person may carry over
24 no unused credits from previous years to offset tax under this chapter for the taxable

1 year that includes the day on which certification is revoked the person becomes
2 ineligible for tax benefits or succeeding taxable years.

3 **SECTION 1754L.** 71.47 (1di) (g) of the statutes is amended to read:

4 71.47 (1di) (g) If a person who is certified under s. 560.765 (3) for entitled under
5 s. 560.795 (3) to claim tax benefits ceases business operations in the development
6 zone during any of the taxable years that that zone exists, that person may not carry
7 over to any taxable year following the year during which operations cease any
8 unused credits from the taxable year during which operations cease or from previous
9 taxable years.

10 **SECTION 1754m.** 71.47 (1di) (i) of the statutes is amended to read:

11 71.47 (1di) (i) No credit may be claimed under this subsection for taxable years
12 that begin on January 1, 1998, or thereafter after December 31, 1997, and end before
13 January 1, 2000. Credits under this subsection for taxable years that begin before
14 January 1, 1998, may be carried forward to taxable years that begin on January 1,
15 1998, or thereafter.”.

16 **979.** Page 942, line 16: delete the material beginning with “certified” and
17 ending with “(3)” on line 17 and substitute “entitled under s. 560.795 (3) to claim tax
18 benefits or certified under s. 560.765 (3) or 560.797 (4)”.

19 **980.** Page 943, line 2: after that line insert:

20 “**SECTION 1756d.** 71.47 (1dx) (c) of the statutes is amended to read:

21 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
22 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
23 tax benefits under s. 560.795 (3), that person may not claim credits under this
24 subsection for the taxable year that includes the day on which the certification is

1 revoked; the taxable year that includes the day on which the person becomes
2 ineligible for tax benefits; or succeeding taxable years and that person may not carry
3 over unused credits from previous years to offset tax under this chapter for the
4 taxable year that includes the day on which certification is revoked; the taxable year
5 that includes the day on which the person becomes ineligible for tax benefits; or
6 succeeding taxable years.

7 **SECTION 1756e.** 71.47 (1dx) (d) of the statutes is amended to read:

8 71.47 **(1dx)** (d) *Carry-over precluded.* If a person who is entitled under s.
9 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
10 benefits ceases business operations in the development zone during any of the
11 taxable years that that zone exists, that person may not carry over to any taxable
12 year following the year during which operations cease any unused credits from the
13 taxable year during which operations cease or from previous taxable years.”.

14 **981.** Page 943, line 18: delete the material beginning with that line and
15 ending with page 944, line 19.

16 **982.** Page 943, line 22: after that line insert:

17 “**SECTION 1757bd.** 71.47 (2m) (b) 1. a. of the statutes is amended to read:

18 71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and
19 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
20 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
21 amount of claim exceeds the income or franchise taxes otherwise due on or measured
22 by the claimant’s income or if there are no Wisconsin income or franchise taxes due
23 on or measured by the claimant’s income, the amount of the claim not used as an
24 offset against income or franchise taxes shall be certified to the department of

1 administration for payment to the claimant by check, share draft or other draft paid
2 from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

3 **SECTION 1757be.** 71.47 (2m) (b) 1. a. of the statutes, as affected by 1999
4 Wisconsin Act (this act), is repealed and recreated to read:

5 71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and
6 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
7 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
8 claim exceeds the income taxes otherwise due on the claimant's income or if there are
9 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
10 used as an offset against income taxes shall be certified to the department of
11 administration for payment to the claimant by check, share draft or other draft paid
12 from the appropriations under s. 20.835 (2) (ka) and (q).

13 **SECTION 1744bf.** 71.47 (2m) (c) 3. of the statutes, as created by Wisconsin Act
14 5, is amended to read:

15 71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is
16 used to determine the amount of a claim under subd. 1. based on the estimated
17 number of claims and the amount estimated to be expended from the appropriation
18 under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall
19 incorporate the annually adjusted percentage into the income tax forms and
20 instructions.

21 **SECTION 1744bg.** 71.47 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin
22 Act (this act), is repealed and recreated to read:

23 71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is
24 used to determine the amount of a claim under subd. 1. based on the estimated
25 number of claims and the amount estimated to be expended from the appropriation

1 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
2 incorporate the annually adjusted percentage into the income tax forms and
3 instructions.”.

4 **983.** Page 945, line 2: delete that line and substitute:

5 “71.54 (1) (e) 2000. The amount of any claim filed in 2000”.

6 **984.** Page 945, line 3: delete “thereafter”.

7 **985.** Page 945, line 13: after that line insert:

8 “**SECTION 1763c.** 71.54 (1) (f) of the statutes is created to read:

9 71.54 (1) (f) 2001 and thereafter. The amount of any claim filed in 2001 and
10 thereafter and based on property taxes accrued or rent constituting property taxes
11 accrued during the previous year is limited as follows:

12 1. If the household income was \$8,000 or less in the year to which the claim
13 relates, the claim is limited to 80% of the property taxes accrued or rent constituting
14 property taxes accrued or both in that year on the claimant’s homestead.

15 2. If the household income was more than \$8,000 in the year to which the claim
16 relates, the claim is limited to 80% of the amount by which the property taxes accrued
17 or rent constituting property taxes accrued or both in that year on the claimant’s
18 homestead exceeds 8.788% of the household income exceeding \$8,000.

19 3. No credit may be allowed if the household income of a claimant exceeds
20 \$24,500.”.

21 **986.** Page 945, line 20: delete the material beginning with that line and
22 ending with page 946, line 3.

23 **987.** Page 946, line 16: delete “. subject to s. 71.07 (5m) (e)”.

1 **988.** Page 947, line 11: delete lines 11 and 12 and substitute “by multiplying
2 the amount of the prize by the highest rate applicable to individuals under s. 71.06
3 (1) or (1m) to the person who claims the prize. The administrator shall deposit the
4 amounts”.

5 **989.** Page 950, line 21: after that line insert:

6 “**SECTION 1800d.** 73.0301 (1) (d) 2. of the statutes is amended to read:

7 73.0301 (1) (d) 2. A license issued by the department of health and family
8 services under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care
9 facility or day care center, as required by s. 48.60, 48.625, 48.65 or 938.22 (7).”.

10 **990.** Page 950, line 21: after that line insert:

11 “**SECTION 1798r.** 73.03 (50) of the statutes is renumbered 73.03 (50) (intro.) and
12 amended to read:

13 73.03 (50) (intro.) With the approval of the joint committee on finance, to
14 establish fees for obtaining a business tax registration certificate, which, except as
15 provided in s. 73.0302, is valid for 2 years, and for renewing that certificate and,
16 except as provided in s. 73.0302, shall issue and renew those certificates if the person
17 who wishes to obtain or renew a certificate applies does all of the following:

18 (a) Applies on a form that the department prescribes; sets.

19 (b) Sets forth the name under which the applicant intends to operate, the
20 location of the applicant’s place of operations, ~~the social security number of the~~
21 ~~applicant if the applicant is a natural person~~ and the other information that the
22 department requires; ~~and, in.~~

23 (d) In the case of a sole proprietor, signs the form or, in the case of other persons,
24 has an individual who is authorized to act on behalf of the person sign the form, or,

1 in the case of a single-owner entity that is disregarded as a separate entity under
2 section 7701 of the Internal Revenue Code, the person is the owner.

3 **SECTION 1798s.** 73.03 (50) (c) of the statutes is created to read:

4 73.03 **(50)** (c) In the case of an applicant who is an individual and who has a
5 social security number, sets forth the social security number of the applicant or, in
6 the case of an applicant who is an individual and who does not have a social security
7 number, submits a statement made or subscribed under oath or affirmation that the
8 applicant does not have a social security number. The form of the statement shall
9 be prescribed by the department of workforce development. A certificate issued in
10 reliance upon a false statement submitted under this paragraph is invalid.

11 **SECTION 1798w.** 73.0301 (2) (c) 1. a. of the statutes is amended to read:

12 73.0301 **(2)** (c) 1. a. If the license holder is an individual and has a social
13 security number, the license holder's social security number.

14 **SECTION 1798x.** 73.0301 (2) (c) 1. am. of the statutes is created to read:

15 73.0301 **(2)** (c) 1. am. If the applicant is an individual and does not have a social
16 security number, a statement made or subscribed under oath or affirmation that the
17 applicant does not have a social security number. The form of the statement shall
18 be prescribed by the department of workforce development. A license issued in
19 reliance upon a false statement submitted under this subd. 1. am. is invalid.

20 **SECTION 1798y.** 73.0301 (2) (c) 2. of the statutes is amended to read:

21 73.0301 **(2)** (c) 2. A licensing department may not disclose any information
22 received under subd. 1. a. or b. to any person except to the department of revenue for
23 the sole purpose of requesting certifications under par. (b) 2. in accordance with the
24 memorandum of understanding under sub. (4) or to the department of workforce
25 development for the purpose of administering s. 49.22.”.

1 **991.** Page 950, line 21: after that line insert:

2 “**SECTION 1798m.** 73.03 (49) (b) of the statutes is repealed.”.

3 **992.** Page 950, line 21: after that line insert:

4 “**SECTION 1800m.** 73.0301 (1) (d) 6. of the statutes is amended to read:

5 73.0301 **(1)** (d) 6. A license or certificate of registration issued by the
6 department of financial institutions, or a division of it, under s. 138.09, 138.12,
7 217.06, 218.01, 218.02, 218.04, 218.05 or, 224.72, 224.93 or under subch. III of ch.
8 551.”.

9 **993.** Page 950, line 23: delete “school aids” and substitute “intradistrict
10 transfer aid”.

11 **994.** Page 951, line 1: delete “ss. 121.15 (3m) (a) 1m. a. to c. and” and
12 substitute “s.”.

13 **995.** Page 951, line 5: after that line insert:

14 “**SECTION 1801n.** 74.48 (1) of the statutes is renumbered 74.48 (1) (a) and
15 amended to read:

16 74.48 **(1)** (a) If a person who owns land that has been valued under s. 70.32 (2r)
17 ~~(b) is sold by a person who has owned it for less than 5 years and who has benefited~~
18 ~~from a value lower than that established by~~ changes the use of the land so that the
19 land is not valued under s. 70.32 (2r) ~~(a), there is imposed on that person a penalty~~
20 ~~equal to 5% of the difference between the sale price of the agricultural land and the~~
21 ~~value that would be established for it under s. 70.32 (2r) (c) during~~ property taxes
22 that would have been levied on the land if the land had been assessed at full market
23 value and the property taxes levied on the land for the last year of the person's
24 ownership 2 years that the land has been valued under s. 70.32 (2r).

SECTION 1801p. 74.48 (1) (b) of the statutes is created to read:

74.48 (1) (b) A person who owns land that has been valued under s. 70.32 (2r) and who sells the land, shall notify the buyer of the land that the land has been valued under s. 70.32 (2r).

SECTION 1801r. 74.48 (2) of the statutes is amended to read:

74.48 (2) Any amount due under sub. (1) shall be paid to the department of revenue taxation district in which the land as described in sub. (1) is located. The taxation district shall distribute the amount to the taxing jurisdictions in which the land is located in proportion to the taxes levied by the taxing jurisdictions during the 2 years that the land has been valued under s. 70.32 (2r).

SECTION 1801s. 74.48 (3) of the statutes is amended to read:

74.48 (3) The department of revenue taxation district in which the land as described in sub. (1) is located shall administer the penalty under this section.”.

996. Page 951, line 6: delete lines 6 to 19.

997. Page 953, line 3: after that line insert:

“SECTION 1809b. 76.28 (1) (d) of the statutes is amended to read:

76.28 (1) (d) “Gross revenues” for a light, heat and power company other than a qualified wholesale electric company or a transmission company means total operating revenues as reported to the public service commission except revenues for interdepartmental sales and for interdepartmental rents as reported to the public service commission and deductions from the sales and use tax under s. 77.61 (4), except that the company may subtract from revenues either the actual cost of power purchased for resale, as reported to the public service commission, by a light, heat and power company, except a municipal light, heat and power company, that

1 purchases under federal or state approved wholesale rates more than 50% of its
2 electric power from a person other than an affiliated interest, as defined in s. 196.52
3 (1), if the revenue from that purchased electric power is included in the seller's gross
4 revenues or the following percentages of the actual cost of power purchased for
5 resale, as reported to the public service commission, by a light, heat and power
6 company, except a municipal light, heat and power company that purchases more
7 than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for
8 the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50%
9 for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric
10 company, "gross revenues" means total business revenues from those businesses
11 included under par. (e) 1. to 4. For a transmission company, "gross revenues" means
12 total operating revenues as reported to the public service commission, except
13 revenues for transmission service that is provided to a public utility that is subject
14 to the license fee under sub. (2) (d), to a public utility, as defined in s. 196.01 (5), or
15 to a cooperative association organized under ch. 185 for the purpose of providing
16 electricity to its members only. For an electric utility, as defined in s. 16.957 (1) (g),
17 "gross revenues" does not include public benefits fees collected by the electric utility
18 under s. 16.957 (4) (a) or (5) (a). For a generator public utility, "gross revenues" does
19 not include any grants awarded to the generator public utility under s. 16.958 (2) (b).
20 For a wholesale supplier, as defined in s. 16.957 (1) (w), "gross revenues" does not
21 include any public benefits fees that are received from a municipal utility or retail
22 electric cooperative or under a joint program established under s. 16.957 (5) (f). For
23 a municipal utility, "gross revenues" does not include public benefits fees received by
24 the municipal utility from a municipal utility or retail electric cooperative under a
25 joint program established under s. 16.957 (5) (f).

SECTION 1809f. 76.28 (1) (e) (intro.) of the statutes is amended to read:

76.28 (1) (e) (intro.) “Light, heat and power companies” means any person, association, company or corporation, including corporations described in s. 66.069 (2) ~~and including~~, qualified wholesale electric companies and transmission companies and except only business enterprises carried on exclusively either for the private use of the person, association, company or corporation engaged in them, or for the private use of a person, association, company or corporation owning a majority of all outstanding capital stock or who control the operation of business enterprises and except electric cooperatives taxed under s. 76.48 that engage in any of the following businesses:

SECTION 1809k. 76.28 (1) (e) 5. of the statutes is created to read:

76.28 (1) (e) 5. Transmitting electric current for light, heat or power.

SECTION 1809h. 76.28 (1) (eg) of the statutes is created to read:

76.28 (1) (eg) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

SECTION 1809j. 76.28 (1) (gr) of the statutes is created to read:

76.28 (1) (gr) “Retail electric cooperative” has the meaning given in s. 16.957 (1) (t).

SECTION 1809no. 76.28 (1) (j) of the statutes is created to read:

76.28 (1) (j) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

SECTION 1809s. 76.28 (2) (c) (intro.) of the statutes is amended to read:

76.28 (2) (c) (intro.) ~~For~~ Except as provided under par. (e), for private light, heat and power companies for 1986 and thereafter, an amount equal to the apportionment factor multiplied by the sum of:

SECTION 1809w. 76.28 (2) (d) of the statutes is amended to read:

1 76.28 (2) (d) ~~For~~ Except as provided under par. (e), for municipal light, heat and
2 power companies, an amount equal to the gross revenues, except gross revenues from
3 operations within the municipality that operates the company, multiplied by the
4 rates under par. (b) or (c).

5 **SECTION 1809y.** 76.28 (2) (e) of the statutes is created to read:

6 76.28 (2) (e) For transmission companies, an amount equal to the gross
7 revenues multiplied by the rates under par. (c).”.

8 **998.** Page 953, line 4: before that line insert:

9 **“SECTION 1809zm.** 76.48 (1g) (d) of the statutes is amended to read:

10 76.48 (1g) (d) “Gross revenues” means total operating revenues, except
11 revenues for interdepartmental sales and for interdepartmental rents, less
12 deductions from the sales and use tax under s. 77.61 (4) and, in respect to any electric
13 cooperative that purchases more than 50% of the power it sells, less the actual cost
14 of power purchased for resale by an electric cooperative, if the revenue from that
15 purchased electric power is included in the seller’s gross revenues or if the electric
16 cooperative purchased more than 50% of the power it sold in the year prior to January
17 1, 1988, from a seller located outside this state. For an electric cooperative, “gross
18 revenues” does not include grants awarded to the electric cooperative under s. 16.958
19 (2) (b). For a retail electric cooperative, “gross revenues” does not include public
20 benefits fees collected by the retail electric cooperative under s. 16.957 (5) (a), public
21 benefits fees received by the retail electric cooperative from a retail electric
22 cooperative or municipal utility under a joint program established under s. 16.957
23 (5) (f). For a wholesale supplier, as defined in s. 16.957 (1) (w), “gross revenues” does
24 not include any public benefits fees that are received from a municipal utility, as

1 defined in s. 16.957 (1) (q), or retail electric cooperative or under a joint program
2 established under s. 16.957 (5) (f).

3 **SECTION 1809zo.** 76.48 (1g) (dm) of the statutes is created to read:

4 76.48 (1g) (dm) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

5 **SECTION 1809zp.** 76.48 (1g) (fm) of the statutes is created to read:

6 76.48 (1g) (fm) “Retail electric cooperative” has the meaning given in s. 16.957
7 (1) (t).”.

8 **999.** Page 953, line 14: after that line insert:

9 “**SECTION 1810dm.** 77.21 (1) of the statutes is amended to read:

10 77.21 (1) “Conveyance” includes deeds and other instruments for the passage
11 of ownership interests in real estate, including contracts and assignments of a
12 vendee’s interest therein, including instruments that are evidence of a sale of
13 time-share property, as defined in s. 707.02 (32), and including leases for at least 99
14 years but excluding leases for less than 99 years, easements and wills.”.

15 **1000.** Page 953, line 14: after that line insert:

16 “**SECTION 1810m.** Chapter 77 (title) of the statutes is amended to read:

17 **CHAPTER 77**

18 **TAXATION OF FOREST CROPLANDS;**

19 **REAL ESTATE TRANSFER FEES;**

20 **SALES AND USE TAXES; COUNTY AND**

21 **SPECIAL DISTRICT SALES AND USE**

22 **TAXES; MANAGED FOREST LAND;**

23 **TEMPORARY RECYCLING SURCHARGE;**

24 **LOCAL FOOD AND BEVERAGE TAX;**

**LOCAL RENTAL CAR TAX; PREMIER
RESORT AREA TAXES; STATE RENTAL
VEHICLE FEE; DRY CLEANING FEES”.**

1001. Page 953, line 14: after that line insert:

“SECTION 1810m. 77.25 (21) of the statutes is created to read:

77.25 **(21)** Of transmission facilities or land rights to the transmission company, as defined in s. 196.485 (1) (ge), under s. 196.485 (5) (b) or (c) or (6) (a) 1. in exchange for securities, as defined in s. 196.485 (1) (fe).”.

1002. Page 953, line 14: after that line insert:

“SECTION 1810dm. 77.255 of the statutes is amended to read:

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), (2r), (3), (4) or (11) from the fee imposed under s. 77.22. No return is required with respect to conveyances exempt under s. 77.25 (2) unless the transferor is also a lender for the transaction.”.

1003. Page 953, line 15: delete lines 15 to 21.

1004. Page 953, line 21: after that line insert:

“SECTION 1812t. 77.54 (44) of the statutes is created to read:

77.54 **(44)** The gross receipts from the sale of and the storage, use or other consumption of materials, supplies and fuel used in the maintenance of railroad tracks and rights-of-way.”.

1005. Page 953, line 21: after that line insert:

“SECTION 1812p. 77.54 (30) (a) 3. of the statutes is amended to read:

1 77.54 **(30)** (a) 3. Electricity sold ~~during the months of November, December,~~
2 ~~January, February, March and April~~ for use in farming, including but not limited to
3 agriculture, dairy farming, floriculture and horticulture.”.

4 **1006.** Page 953, line 21: after that line insert:

5 “**SECTION 1812Lb.** 77.54 (20) (c) 4m. of the statutes is created to read:

6 77.54 **(20)** (c) 4m. Taxable sales do not include food and beverage items under
7 pars. (b) 4. and (c) 2., and disposable products that are transferred with such items,
8 that are provided by a restaurant to the restaurant’s employe during the employe’s
9 work hours.”.

10 **1007.** Page 953, line 21: after that line insert:

11 “**SECTION 1812Lm.** 77.51 (4) (c) 6. of the statutes is repealed.

12 **SECTION 1812Ln.** 77.52 (2) (a) 1. of the statutes is amended to read:

13 77.52 **(2)** (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
14 motel operators and other persons furnishing accommodations that are available to
15 the public, irrespective of whether membership is required for use of the
16 accommodations, ~~including the furnishing of rooms or lodging through the sale of a~~
17 ~~time-share property, as defined in s. 707.02 (32),~~ if the use of the rooms or lodging
18 is not fixed at the time of sale as to the starting day or the lodging unit. In this
19 subdivision, “transient” means any person residing for a continuous period of less
20 than one month in a hotel, motel or other furnished accommodations available to the
21 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
22 in which the public may obtain accommodations for a consideration, including,
23 without limitation, such establishments as inns, motels, tourist homes, tourist
24 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,

1 resort lodges and cabins and any other building or group of buildings in which
2 accommodations are available to the public, except accommodations, including
3 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more
4 than one month and accommodations furnished by any hospitals, sanatoriums, or
5 nursing homes, or by corporations or associations organized and operated
6 exclusively for religious, charitable or educational purposes provided that no part of
7 the net earnings of such corporations and associations inures to the benefit of any
8 private shareholder or individual. In this subdivision, “one month” means a calendar
9 month or 30 days, whichever is less, counting the first day of the rental and not
10 counting the last day of the rental.

11 **SECTION 1812Lp.** 77.52 (2) (a) 2. of the statutes is amended to read:

12 77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment
13 or recreational events or places except county fairs, the sale, rental or use of regular
14 bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies
15 to players and the furnishing, for dues, fees or other considerations, the privilege of
16 access to clubs or the privilege of having access to or the use of amusement,
17 entertainment, athletic or recreational devices or facilities, including, ~~in connection~~
18 ~~with the sale or use of time-share property, as defined in s. 707.02 (32),~~ the sale or
19 furnishing of use of recreational facilities on a periodic basis or other recreational
20 rights, including but not limited to membership rights, vacation services and club
21 memberships.”.

22 **1008.** Page 953, line 21: after that line insert:

23 **“SECTION 1812np.** 77.54 (20) (c) 6. of the statutes is amended to read:

1 77.54 (20) (c) 6. For purposes of subd. 1., “premises” shall be construed broadly,
2 and, by way of illustration but not limitation, shall include the lobby, aisles and
3 auditorium of a theater or the seating, aisles and parking area of an arena, rink or
4 stadium or the parking area of a drive-in or outdoor theater. The premises of a
5 caterer with respect to catered meals or beverages shall be the place where served.
6 ~~Vending machine premises shall include the room or area in which located~~ Sales from
7 a vending machine shall be considered sales for off-premises consumption.”.

8 **1009.** Page 953, line 21: after that line insert:

9 “**SECTION 1812s.** 77.51 (9) (e) of the statutes is amended to read:

10 77.51 (9) (e) ~~An auction which is~~ Five or fewer auctions that are the sale of
11 personal farm property or household goods and ~~not~~ that are held by the same
12 auctioneer at regular intervals the same location during the year. In this paragraph,
13 with respect to indoor locations, “location” means a building, except that in the case
14 of a shopping center or a shopping mall “location” means a store.”.

15 **1010.** Page 953, line 21: after that line insert:

16 “**SECTION 1813s.** 77.51 (14g) (fm) of the statutes is created to read:

17 77.51 (14g) (fm) The transfer of transmission facilities, as defined in s. 196.485
18 (1) (h), to a transmission company, as defined in s. 196.485 (1) (ge), after the
19 organizational start-up date, as defined in s. 196.485 (1) (dv), of such company in
20 exchange for securities, as defined in s. 196.485 (1) (fe);

21 **SECTION 1183v.** 77.54 (44) of the statutes is created to read:

22 77.54 (44) The gross receipts from the collection of public benefits fees that are
23 charged under s. 16.957 (4) (a) or (5) (a).”.

24 **1011.** Page 956, line 3: after that line insert:

“SECTION 1817bb. Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77

TEMPORARY RECYCLING SURCHARGE

SECTION 1817bc. 77.92 (4) of the statutes is amended to read:

77.92 (4) “Net business income”, with respect to a partnership, means taxable income as calculated under section 703 of the ~~internal revenue code~~ Internal Revenue Code; plus the items of income and gain under section 702 of the ~~internal revenue code~~ Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the ~~internal revenue code~~ Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments treated as not made to partners under section 707 (a) (c) of the ~~internal revenue code~~ Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx) and (3s); and plus or minus, as appropriate, transitional adjustments, depreciation differences and basis differences under s. 71.05 (13), (15), (16), (17) and (19); but excluding income, gain, loss and deductions from farming. “Net business income”, with respect to a natural person, estate or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employe as defined in section 3121 (d) (3) of the ~~internal revenue code~~ Internal Revenue Code.

SECTION 1817bcm. 77.92 (4r) of the statutes is repealed.

SECTION 1817bd. 77.93 (intro.) of the statutes is amended to read:

1 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,
2 there is imposed a temporary recycling surcharge on the following entities:

3 **SECTION 1817be.** 77.93 (1) of the statutes is amended to read:

4 77.93 (1) All corporations required to file a return under subch. IV or V of ch.
5 71 that have at least \$4,000 more than \$1,000,000 in total gross receipts from all
6 activities for the taxable year except corporations that are exempt from taxation
7 under s. 71.26 (1) and that have no unrelated business income reportable under s.
8 71.24 (1m). The surcharge is imposed on the tax-option corporation, not on its
9 shareholders, except that if a tax-option corporation's surcharge is delinquent, its
10 shareholders are jointly and severally liable for it.

11 **SECTION 1817bf.** 77.93 (4) of the statutes is amended to read:

12 77.93 (4) All insurers that are required to file a return under subch. VII of ch.
13 71 and that have at least \$4,000 more than \$1,000,000 in total gross receipts from
14 all activities for the taxable year.

15 **SECTION 1817bg.** 77.94 (1) (intro.) of the statutes is amended to read:

16 77.94 (1) (intro.) Except as provided in subs. sub. (2) and (3), for taxable years
17 ending beginning after April 1, 1991 December 31, 1999, the surcharge imposed
18 under s. 77.93 is calculated as follows:

19 **SECTION 1817bh.** 77.94 (1) (a) of the statutes is amended to read:

20 77.94 (1) (a) On a corporation under s. 77.93 (1) and (4), an amount equal to
21 the amount calculated by multiplying gross tax liability for the taxable year of the
22 corporation by 5.5% 3.3%, or in the case of a tax-option corporation an amount equal
23 to the amount calculated by multiplying net income under s. 71.34 by 0.4345%
24 0.2607%, up to a maximum of \$9,800 \$20,000, or \$25, whichever is greater.

25 **SECTION 1817bi.** 77.94 (1) (b) of the statutes is amended to read:

1 77.94 (1) (b) On an entity under s. 77.93 (2) or (3), except an entity that has less
2 than ~~\$4,000~~ no more than \$1,000,000 of gross receipts, an amount equal to the
3 amount calculated by multiplying net business income as allocated or apportioned
4 to this state by means of the methods under s. 71.04, for the taxable year of the entity
5 by ~~0.4345%~~ 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is
6 greater.

7 **SECTION 1817bj.** 77.94 (1) (c) of the statutes is amended to read:

8 77.94 (1) (c) On an entity under s. 77.93 (5), except an entity that has ~~a net farm~~
9 ~~profit~~ gross receipts from farming of less ~~no more~~ than ~~\$1,000~~ \$1,000,000, a
10 surcharge of \$25, regardless of whether the entity is subject to a surcharge
11 determined under par. (b).

12 **SECTION 1817bk.** 77.94 (3) of the statutes is repealed.

13 **SECTION 1817bL.** 77.94 (4) of the statutes is repealed.

14 **SECTION 1817bm.** 77.945 of the statutes is repealed.

15 **SECTION 1817bn.** 77.96 (6) of the statutes is amended to read:

16 77.96 (6) The department of revenue shall refer to the surcharge under this
17 subchapter as the ~~temporary~~ recycling surcharge.”.

18 **1012.** Page 956, line 6: on lines 6 and 18, delete “98.25%” and substitute
19 “97.45%”.

20 **1013.** Page 958, line 14: after that line insert:

21 “**SECTION 1818Lb.** 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin
22 Act 5, is amended to read:

23 79.10 (11) (b) Before October 16, the department of administration shall
24 determine the total funds available for distribution under the lottery and gaming

1 credit in the following year and shall inform the joint committee on finance of that
2 total. Total funds available for distribution shall be all moneys projected to be
3 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
4 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
5 the distribution, less the amount estimated to be expended under ~~ss. 20.455 (2) (r),~~
6 ~~20.566 (2) (r) and s. 20.835 (2) (q) and (3) (r)~~ and less the required reserve under s.
7 20.003 (5). The joint committee on finance may revise the total amount to be
8 distributed if it does so at a meeting that takes place before November 1. If the joint
9 committee on finance does not schedule a meeting to take place before November 1,
10 the total determined by the department of administration shall be the total amount
11 estimated to be distributed under the lottery and gaming credit in the following year.

12 **SECTION 1818Lc.** 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin
13 Act (this act), is repealed and recreated to read:

14 79.10 **(11)** (b) Before October 16, the department of administration shall
15 determine the total funds available for distribution under the lottery and gaming
16 credit in the following year and shall inform the joint committee on finance of that
17 total. Total funds available for distribution shall be all moneys projected to be
18 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
19 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
20 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
21 20.566 (2) (r) and 20.835 (2) (q) and (3) (r) and less the required reserve under s.
22 20.003 (5). The joint committee on finance may revise the total amount to be
23 distributed if it does so at a meeting that takes place before November 1. If the joint
24 committee on finance does not schedule a meeting to take place before November 1,

1 the total determined by the department of administration shall be the total amount
2 estimated to be distributed under the lottery and gaming credit in the following year.

3 **SECTION 1818Ld.** 79.13 (1) of the statutes, as created by 1999 Wisconsin Act
4 5, is amended to read:

5 79.13 (1) In the 1999–2000 fiscal year, the amount that is estimated to be
6 expended from the appropriation under s. 20.835 (2) (q) (dn) is \$15,000,000.

7 **SECTION 1818Lf.** 79.13 (2) of the statutes, as created by 1999 Wisconsin Act 5,
8 is renumbered 79.13 (2) (a) and amended to read:

9 79.13 (2) (a) In the 2000–01 fiscal year, ~~and in each fiscal year thereafter,~~ the
10 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
11 ~~(q)~~ (dn) is \$15,000,000, plus the amount that is estimated to be expended from the
12 appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year and less the
13 actual amount that is expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn)
14 in the previous fiscal year.

15 **SECTION 1818Lg.** 79.13 (2) (b) of the statutes is created to read:

16 79.13 (2) (b) In the 2001–02 fiscal year, the amount that is estimated to be
17 expended from the appropriation under s. 20.835 (2) (q) is \$15,000,000, plus the
18 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
19 (dn) in the previous fiscal year and less the actual amount that is expended from the
20 appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

21 **SECTION 1818Lh.** 79.13 (2) (c) of the statutes is created to read:

22 79.13 (2) (c) In the 2002–03 fiscal year, and in each fiscal year thereafter, the
23 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
24 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
25 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual

1 amount that is expended from the appropriation under s. 20.835 (2) (q) in the
2 previous fiscal year.”.

3 **1014.** Page 958, line 14: after that line insert:

4 “**SECTION 1818Lq.** 79.05 (2) (c) of the statutes is amended to read:

5 79.05 (2) (c) Its municipal budget, exclusive of principal and interest on
6 long-term debt and exclusive of payments of the recycling fee under s. 289.645, for
7 the year of the statement under s. 79.015 increased over its municipal budget as
8 adjusted under sub. (6), exclusive of principal and interest on long-term debt and
9 exclusive of payments of the recycling fee under s. 289.645, for the year before that
10 year by less than the sum of the inflation factor and the valuation factor, rounded to
11 the nearest 0.10%.”.

12 **1015.** Page 958, line 14: after that line insert:

13 “**SECTION 1818Lk.** 79.01 (1) of the statutes is amended to read:

14 79.01 (1) There is established an account in the general fund entitled the
15 “Expenditure Restraint Program Account”. There shall be appropriated to that
16 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994 and,
17 \$48,000,000 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in
18 the year 2000 and in each year thereafter.

19 **SECTION 1818Ln.** 79.03 (3c) (f) of the statutes is amended to read:

20 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
21 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
22 paid to each eligible municipality shall be paid on a prorated basis. The total amount
23 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning

1 in 1996 and ending in 1999 and \$11,875,000 in the year 2000 and in each year
2 thereafter.

3 **SECTION 1818Lp.** 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
6 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
7 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
10 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent
11 years ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and
12 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to
13 counties. In the year 2000 and subsequent years, the total amounts to be distributed
14 under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are \$776,707,600 to
15 municipalities and \$172,361,400 to counties.

16 **SECTION 1818Ls.** 79.058 (3) (b) of the statutes is amended to read:

17 79.058 (3) (b) In Beginning in 1995 and subsequent years ending in 1999,
18 \$20,159,000.

19 **SECTION 1818Lt.** 79.058 (3) (c) of the statutes is created to read:

20 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.”.

21 **1016.** Page 958, line 14: after that line insert:

22 “**SECTION 1818Lm.** 79.10 (10) (bn) of the statutes is created to read:

23 79.10 (10) (bn) If a person who owns and uses property as specified under sub.
24 (1) (dm) as of the certification date under par. (a), transfers the property after the

1 certification date, the transferee may apply for the credit under sub. (9) (bm) on a
2 form prescribed by the department of revenue. The transferee shall attest that, to
3 the transferee's knowledge, the transferor used the property in the manner specified
4 under sub. (1) (dm) as of the certification date under par. (a). A claim that is made
5 under this paragraph is valid for the year in which the property is transferred.”.

6 **1017.** Page 958, line 15: delete lines 15 to 19 and substitute:

7 “**SECTION 1818mn.** 84.01 (30) (g) of the statutes is created to read:

8 84.01 (30) (g) 1. In this paragraph, “park-and-ride facility” means a facility
9 with a parking lot and, within a reasonable walking distance, a station or transfer
10 point where commuters access a mass transit system.

11 2. If the department determines that such a provision advances the public
12 interest, a provision exempting the private entity from the restrictions under ss.
13 84.25 (11) and 86.19 (1), and specifying any requirements that the department
14 determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1). This
15 subdivision applies only to park-and-ride facilities.”.

16 **1018.** Page 958, line 19: after that line insert:

17 “**SECTION 1818w.** 84.013 (3) (ra) of the statutes is created to read:

18 84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond
19 du Lac counties.”.

20 **1019.** Page 958, line 19: after that line insert:

21 “**SECTION 1818p.** 84.01 (31) of the statutes is created to read:

22 84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use
23 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or
24 replacement of curb and pavement or other markings, or for the operation,

1 maintenance or replacement of highway signs, traffic signals or highway lighting,
2 unless the maintenance, replacement or operation is in conjunction with activities
3 related to a state trunk highway reconditioning, reconstruction or resurfacing
4 project.”.

5 **1020.** Page 958, line 19: after that line insert:

6 “**SECTION 1818r.** 84.013 (2) (a) of the statutes is amended to read:

7 84.013 (2) (a) Major Subject to s. 86.255, major highway projects shall be
8 funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866
9 (2) (ur) to (uu).

10 **SECTION 1818t.** 84.013 (2) (b) of the statutes is amended to read:

11 84.013 (2) (b) Reconditioning Subject to s. 86.255, reconditioning,
12 reconstruction and resurfacing of highways shall be funded from the appropriations
13 under s. 20.395 (3) (cq) to (cx).”.

14 **1021.** Page 959, line 17: after that line insert:

15 “**SECTION 1819gg.** 84.03 (9) (a) of the statutes is amended to read:

16 84.03 (9) (a) That Subject to s. 86.255, that part of the appropriation made by
17 s. 20.395 (3), not required for the other purposes therein provided, may be used by
18 the department for the improvement and traffic service of the state trunk highway
19 system and connecting highways, for the purchase and operation of equipment,
20 making surveys for locating local road materials, testing of materials, and for other
21 purposes provided in this section, and to match or supplement federal aid for the
22 construction, reconstruction or improvement of the federal aid highway system,
23 secondary or feeder roads, the elimination of hazards at railroad grade crossings and
24 for any other highway purpose for which the state may match or supplement federal

1 aid funds pursuant to any act of congress. Where such funds are used for the
2 improvement of the state trunk highway system or connecting highways or to match
3 or supplement federal aid they shall be expended in accordance with s. 84.06 and any
4 applicable act of congress. Any funds expended pursuant to this paragraph shall be
5 expended by the department on such projects within the provisions of this
6 paragraph, and executed in such manner as the department shall from time to time
7 determine will best meet the needs of travel and best promote the general welfare.
8 Such funds may be used for improvements, within the provisions of this paragraph,
9 independent of or in conjunction with other funds available for such improvements.
10 The Subject to s. 86.255, the requirements of any federal highway act, or regulations
11 issued thereunder, may be met from such appropriation.

12 **SECTION 1819gm.** 84.065 (4) of the statutes is amended to read:

13 84.065 (4) FUNDS. The Subject to s. 86.255, the department may make loans
14 under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total
15 outstanding balance of loans under this section may not exceed \$500,000.”.

16 **1022.** Page 959, line 17: after that line insert:

17 “**SECTION 1819g.** 84.02 (14) of the statutes is created to read:

18 84.02 (14) I 39 INTERCHANGE. If a waiver from the federal department of
19 transportation is required for the construction of an interchange at the intersection
20 of I 39 and Kowalski Road in Marathon County, and if the state department of
21 transportation determines that construction of the interchange will have no adverse
22 impact on safety in the vicinity of the intersection, the state department of
23 transportation shall request a waiver to permit construction of the interchange. If
24 a waiver is granted, or if the state department of transportation determines both that

1 a waiver is not required and that such construction will have no adverse impact on
2 safety in the vicinity of the intersection, the department of transportation shall
3 design the interchange specified in this subsection and allocate funds from the
4 appropriations under s. 20.395 (3) (cq) to (cx) sufficient to construct the
5 interchange.”.

6 **1023.** Page 959, line 17: after that line insert:

7 “**SECTION 1819j.** 84.014 of the statutes is created to read:

8 **84.014 Intelligent transportation systems. (1)** In this section, “intelligent
9 transportation system” means a specialized computer or other technical system,
10 including roadway detector loops, closed circuit television, variable message signs,
11 ramp meters or an integrated traffic signal system, that is used for the purpose of
12 traffic flow measurement and management, congestion avoidance, incident
13 management, travel time information or other similar purposes.

14 **(2)** The department may fund the installation, maintenance and replacement
15 of intelligent transportation systems. After June 30, 2000, the department may
16 encumber funds for intelligent transportation systems only from the appropriation
17 accounts under s. 20.395 (3) (gq) to (gx) unless the intelligent transportation system
18 is physically integrated with and installed as part of a highway project that includes
19 construction or improvement in addition to the intelligent transportation system.”.

20 **1024.** Page 961, line 19: after that line insert:

21 “**SECTION 1820mg.** 84.20 of the statutes is amended to read:

22 **84.20 State repair and maintenance of highways and streets.** Damage
23 to any county trunk or town highway or city or village street caused by reason of its
24 use as a detour designated by the department or for hauling materials incident to the

1 maintenance, repair or construction by the department of any state trunk highway
2 or street over which a state trunk highway is routed, shall be repaired by the
3 department. Such highway or street shall also be maintained by the department
4 during such use. The Subject to s. 86.255, the cost of such repairs and maintenance
5 shall be paid from funds appropriated and available to the department for the
6 maintenance and improvement of state trunk highways and connecting highways
7 under s. 20.395 (3).”.

8 **1025.** Page 963, line 13: after that line insert:

9 “**SECTION 1824fm.** 84.31 (8) (b) of the statutes is amended to read:

10 84.31 **(8)** (b) The department and another state agency may enter into
11 agreements for the purpose of assigning to the other state agency the responsibility
12 for the administration of this section and rules adopted under this section. To the
13 extent responsibility for administration is assigned to the other agency under such
14 agreements, the other state agency shall have the same powers and duties conferred
15 on the department under this section. The department shall reimburse the other
16 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,
17 including administrative expenses, incurred by the other state agency in connection
18 with the screening, relocation, removal or disposal of junkyards under the authority
19 assigned to the other state agency, except that no moneys may be reimbursed for the
20 acquisition of land or interests in land contrary to s. 86.255.”.

21 **1026.** Page 964, line 5: delete “\$1,440,665,900” and substitute
22 “\$1,447,085,500”.

23 **1027.** Page 964, line 11: delete the material beginning with that line and
24 ending with page 965, line 3.

1 **1028.** Page 965, line 8: delete “(nx)” and substitute “~~(nx)~~ (ox)”.

2 **1029.** Page 965, line 13: delete “year.” and substitute “year The total amount
3 of the grants awarded under this subsection and ss. 85.026 (2) (b) and 85.243 (2) (am)
4 and projects approved under s. 85.245 (1m) for the planning, design or construction
5 of bicycle and pedestrian facilities may not exceed \$9,755,000 in the fiscal year in
6 which the grants are awarded or the projects are approved. If the department
7 determines that a grant was awarded under this subsection for a project on which
8 construction will not be completed within a reasonable time after the grant is
9 awarded, the department may withdraw that grant and the amount of the grant
10 withdrawn may not be counted under this subsection.”.

11 **1030.** Page 965, line 14: delete lines 14 to 19 and substitute:

12 “**SECTION 1830gb.** 85.026 (2) of the statutes is renumbered 85.026 (2) (a) and
13 amended to read:

14 85.026 **(2)** (a) The Subject to s. 85.61, the department may administer a
15 program to award grants of assistance to any political subdivision or state agency,
16 as defined in s. 20.001 (1), for transportation enhancement activities consistent with
17 federal regulations promulgated under 23 USC 133 (b) (8). The Except as provided
18 in par. (b), the grants shall be awarded from the appropriations under s. 20.395 (2)
19 (nv) and (nx).

20 **SECTION 1830gc.** 85.026 (2) (b) of the statutes is created to read:

21 85.026 **(2)** (b) Grants awarded under this section for the planning, design and
22 construction of bicycle and pedestrian facilities shall be only awarded from the
23 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
24 this paragraph and ss. 85.024 and 85.243 (2) (am) and projects approved under s.

1 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
2 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
3 awarded or the projects are approved. If the department determines that a grant was
4 awarded under this paragraph for a project on which construction will not be
5 completed within a reasonable time after the grant is awarded, the department may
6 withdraw that grant and the amount of the grant withdrawn may not be counted
7 under this paragraph.”.

8 **1031.** Page 965, line 19: after that line insert:

9 “**SECTION 1830gm.** 85.037 of the statutes is amended to read:

10 **85.037 Certification of fees collected.** Annually, no later than October 1,
11 the secretary of transportation shall certify to the secretary of administration the
12 amount of fees collected under ~~s. ss. 101.9208 (1) (dm) and~~ 342.14 (3m) during the
13 previous fiscal year, for the purpose of determining the amounts to be transferred
14 under s. 20.855 (4) (f) during the current fiscal year.”.

15 **1032.** Page 965, line 19: after that line insert:

16 “**SECTION 1830gb.** 85.026 (3) of the statutes is created to read:

17 **85.026 (3) PROCEDURE.** The department may not approve a grant under sub.
18 (2) until after enactment of the biennial budget act for the biennium during which
19 the grant will be awarded. The total amount of grants awarded under sub. (2) and
20 paid from the appropriations under s. 20.395 (2) (nv) and (nx) may not exceed the
21 amounts appropriated under s. 20.395 (2) (nv) and (nx) for the purposes of
22 transportation enhancement activities for the biennium during which the grants are
23 awarded. If the department determines that a grant was awarded under sub. (2) for
24 a project on which construction will not be completed within a reasonable time after

1 the grant is awarded, the department may withdraw that grant and the amount of
2 the grant so withdrawn may not be counted under this subsection.”.

3 **1033.** Page 967, line 12: after that line insert ““Operating expenses” do not
4 include costs accruing to an urban mass transit system from services provided by a
5 publicly owned urban mass transit system under a contract awarded on the basis of
6 competitive bids unless the urban mass transit system’s bid used the fully allocated
7 cost methodology described in sub. (8).”.

8 **1034.** Page 967, line 24: after that line insert:

9 “**SECTION 1834m.** 85.20 (1) (h) of the statutes is amended to read:

10 85.20 (1) (h) “Operating revenues” mean income accruing to an urban mass
11 transit system by virtue of its operations, but do not include income accruing from
12 operations under a contract awarded on the basis of competitive bids to a publicly
13 owned urban mass transit system that did not use the fully allocated cost
14 methodology described in sub. (8).”.

15 **1035.** Page 971, line 10: after that line insert:

16 “**SECTION 1849d.** 85.20 (6m) of the statutes is created to read:

17 85.20 (6m) LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub.
18 (4m), the department may not pay state aid under this section to an eligible applicant
19 unless the eligible applicant does all of the following:

20 1. Establishes and administers a separate segregated account from which
21 moneys may be used only for purposes related to a mass transit system.

22 2. Deposits in the account established under subd. 1. all of the following:

23 a. All moneys received from this state and from the federal government for a
24 mass transit system.

1 b. All local moneys required by this state, or by the federal government, to
2 match moneys described under subd. 2. a. as a condition of receiving or expending
3 those state or federal moneys.

4 c. All local moneys allocated for a mass transit system by the eligible applicant.

5 d. All moneys received from a local revenue source that is dedicated to a mass
6 transit system.

7 (b) If an eligible applicant does not meet the requirements under par. (a) at the
8 time that aid should be paid under this section, the department shall withhold the
9 aid payment until the eligible applicant meets the requirements under par. (a).
10 When the eligible applicant meets the requirements under par. (a), the department
11 shall pay the aid withheld under this paragraph, without interest, except that, if the
12 eligible applicant fails to meet the requirements under par. (a) within 180 days after
13 the time that the aid should be paid, that aid is forfeited and may not be paid to that
14 eligible applicant. Aid that is forfeited under this paragraph shall be counted under
15 this section as if the aid had been paid.

16 (c) The department, in consultation with the representatives appointed under
17 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
18 department may not require any eligible applicant to do any of the following:

19 1. Pay expenses related to law enforcement using moneys from an account
20 established under this subsection.

21 2. Maintain separate checking accounts to implement this subsection, if the
22 eligible applicant implements this subsection by segregating revenues and
23 expenditures described in this subsection in the eligible applicant's bookkeeping
24 system.”.

1 **1036.** Page 971, line 16: after that line insert:

2 “**SECTION 1849gm.** 85.20 (8) of the statutes is created to read:

3 **85.20 (8) FULLY ALLOCATED COST BIDDING.** If a local public body solicits bids to
4 contract for services, the bids of a publicly owned urban mass transit system shall
5 use a fully allocated cost methodology established by the department by rule. The
6 fully allocated cost methodology shall do all of the following:

7 (a) Be based on generally accepted accounting principles.

8 (b) Consider all shared costs and direct costs of the mass transit system that
9 are related to and support the service being considered. A publicly owned urban
10 mass transit system’s costs include all subsidies provided to the system, including
11 operating subsidies, capital grants and the use of public facilities.

12 (c) Assign each cost of a publicly owned urban mass transit system to one of the
13 following categories:

14 1. Costs that depend on the number of vehicle hours operated, including
15 operators’ salaries and fringe benefits.

16 2. Costs that depend on the number of vehicle miles traveled, including fuel
17 costs, maintenance costs and maintenance personnel salaries and fringe benefits.

18 3. Costs that depend on the maximum number of vehicles that are in service
19 during the day, including administrative and capital costs.”.

20 **1037.** Page 971, line 16: after that line insert:

21 “**SECTION 1849gm.** 85.205 of the statutes is created to read:

22 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.
23 85.022, 85.062 and 85.063, the department may not encumber or expend any federal
24 funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or

1 state funds for any purpose related to a light rail mass transit system. This section
2 does not apply to any light rail mass transit system that is being constructed on the
3 effective date of this section [revisor inserts date]. This section does not apply to
4 any funds expended or activity related to a mass transit system that is done under
5 the memorandum of agreement concerning USH 12 between Middleton and Lake
6 Delton, Wisconsin, that was executed by the governor, the secretary of
7 transportation, the secretary of natural resources, the county executive of Dane
8 County, the administrative coordinator of Sauk County, and others, and that became
9 effective on April 22, 1999. This section does not apply after June 30, 2001.”.

10 **1038.** Page 972, line 10: after that line insert:

11 “**SECTION 1852g.** 85.243 (2) (am) of the statutes is created to read:

12 85.243 (2) (am) Grants awarded under this section for the planning, design or
13 construction of bicycle and pedestrian facilities shall be only awarded from the
14 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
15 this paragraph and ss. 85.024 and 85.026 (2) (b) and projects approved under s.
16 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
17 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
18 awarded or the projects are approved. If the department determines that a grant was
19 awarded under this paragraph for a project on which construction will not be
20 completed within a reasonable time after the grant is awarded, the department may
21 withdraw that grant and the amount of the grant withdrawn may not be counted
22 under this paragraph.

23 **SECTION 1852j.** 85.245 (1) of the statutes is amended to read:

1 85.245 (1) The department may administer a program for the distribution of
2 federal funds for congestion mitigation and air quality improvement projects made
3 available to the state under 23 USC 149. The Except as provided in sub. (1m), the
4 cost of any project shall be funded from the appropriations under s. 20.395 (2) (kv)
5 and (kx).

6 **SECTION 1852k.** 85.245 (1m) of the statutes is created to read:

7 85.245 (1m) The cost of any project funded under this section for the planning,
8 design or construction of a bicycle and pedestrian facility shall be only funded from
9 the appropriation under s. 20.395 (2) (ox). The total amount of any project approved
10 under this subsection and the amount of grants awarded under ss. 85.024, 85.026 (2)
11 (b) and 85.243 (2) (am) for the planning, design or construction of bicycle and
12 pedestrian facilities may not exceed \$9,755,000 in the fiscal year in which the
13 projects are approved or the grants are awarded. If the department determines that
14 a project was approved under this subsection on which construction will not be
15 completed within a reasonable time after the project is approved, the department
16 may withdraw its approval of that project and the cost of the project for which
17 approval was withdrawn may not be counted under this subsection.”.

18 **1039.** Page 972, line 10: after that line insert:

19 **“SECTION 1852f.** 85.243 (2) (a) of the statutes is amended to read:

20 85.243 (2) (a) The Subject to par. (ar), the department shall administer a
21 surface transportation discretionary grants program to promote the development
22 and implementation of surface transportation projects that foster the diverse
23 transportation needs of the people of this state. Annually, the department may make
24 grants to eligible applicants for surface transportation projects that promote

1 nonhighway use or that otherwise supplement existing transportation activities. A
2 grant may not exceed 80% of the total cost of a project. The department shall give
3 priority to funding projects that foster alternatives to single-occupancy automobile
4 trips. In deciding whether to award a grant under this section, the department may
5 consider whether other funding sources are available for the proposed project.

6 **SECTION 1852gd.** 85.243 (2) (ar) of the statutes is created to read:

7 85.243 (2) (ar) The department may not approve a grant under par. (a) until
8 after enactment of the biennial budget act for the biennium during which the grant
9 will be awarded. The total amount of grants awarded under par. (a) and paid from
10 the appropriations under s. 20.395 (2) (jq), (jv) and (jx) may not exceed the amounts
11 appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium during which the
12 grants are awarded. If the department determines that a grant was awarded under
13 par. (a) for a project on which construction will not be completed within a reasonable
14 time after the grant is awarded, the department may withdraw that grant and the
15 amount of the grant so withdrawn may not be counted under this paragraph.”.

16 **1040.** Page 974, line 21: delete that line and substitute: “86.19 (1r) The
17 department shall maintain”.

18 **1041.** Page 974, line 22: delete “directional signs along I 43” and substitute
19 “the directional sign existing on the effective date of this subsection (revisor
20 inserts date), that is located along I 43”.

21 **1042.** Page 974, line 23: delete “any sign erected and” and substitute “the
22 sign”.

23 **1043.** Page 974, line 24: after that line insert:

24 **“SECTION 1855rm.** 86.255 of the statutes is created to read:

1 **86.255 Limitation on moneys used to purchase land remote from**
2 **highway project. (1)** Notwithstanding ss. 84.09 and 86.25, beginning with
3 purchase contracts executed on the effective date of this subsection [revisor
4 inserts date], and with relocation orders initially filed under ch. 32 on the effective
5 date of this subsection [revisor inserts date], the department may not encumber
6 or expend any moneys from the appropriations under s. 20.395 (3) for purposes
7 related to the purchase of land, easements, or development rights in land, unless the
8 land or interest in land is purchased in association with a highway improvement
9 project and the land or interest in land is located within one-quarter mile of the
10 centerline or proposed centerline of the highway.

11 **(2)** Subsection (1) does not apply to any of the following:

12 (a) The purchase of any land that is acquired as compensatory mitigation for
13 another wetland, as defined in s. 23.32 (1), that will suffer an adverse impact by
14 degradation or destruction as part of a highway project.

15 (b) The purchase of any land, easements, or development rights in land, under
16 an agreement executed in the name of the department before the effective date of this
17 paragraph [revisor inserts date], or under a relocation order filed under ch. 32
18 before the effective date of this paragraph [revisor inserts date].”.

19 **1044.** Page 974, line 24: after that line insert:

20 “**SECTION 1855rm.** 86.195 (2) (ag) 16m. of the statutes is created to read:

21 86.195 **(2)** (ag) 16m. STH 172 from I 43 southeast of Green Bay to USH 41 at
22 Ashwaubenon.”.

23 **1045.** Page 975, line 11: delete “, \$1,692” and substitute “and thereafter,
24 \$1,704”.

1 **1046.** Page 975, line 12: delete lines 12 and 13.

2 **1047.** Page 975, line 17: delete “\$83,469,000” and substitute “and
3 \$84,059,500”.

4 **1048.** Page 975, line 18: delete “\$84,303,700 in calendar year 2001 and”.

5 **1049.** Page 975, line 24: delete “\$262,603,400” and substitute “and
6 \$264,461,500”.

7 **1050.** Page 975, line 25: delete “\$265,229,400 in calendar year 2001 and”.

8 **1051.** Page 976, line 4: delete lines 4 to 23, and substitute:

9 “86.30 (10) AID PAYMENTS FOR CALENDAR YEAR 2001. (a) 1. For calendar year 2001,
10 the department shall determine the percentage change between the amount of
11 moneys appropriated for distribution under this section to counties for calendar year
12 2001 and the amount of moneys appropriated for distribution under this section to
13 counties for calendar year 2000.

14 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
15 the amount of aid payable to each county in calendar year 2001 shall be the amount
16 paid to that county for calendar year 2000, plus an amount equal to the percentage
17 determined under subd. 1. of the amount paid to the county for calendar year 2000.

18 (b) 1. For calendar year 2001, the department shall determine the percentage
19 change between the amount of moneys appropriated for distribution under this
20 section to municipalities for calendar year 2001 and the amount of moneys
21 appropriated for distribution under this section to municipalities for calendar year
22 2000.

23 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
24 the amount of aid payable to each municipality in calendar year 2001 shall be the

1 amount paid to that municipality for calendar year 2000, plus an amount equal to
2 the percentage determined under subd. 1. of the amount paid to the municipality for
3 calendar year 2000.”.

4 **1052.** Page 976, line 23: after that line insert:

5 “**SECTION 1863md.** 86.30 (11) of the statutes is created to read:

6 **86.30 (11) LOCAL SEGREGATED ACCOUNT REQUIRED.** (a) Notwithstanding sub. (2),
7 the department may not pay state aid under this section to a municipality or county
8 unless the municipality or county does all of the following:

9 1. Establishes and administers a separate segregated account from which
10 moneys may be used only for purposes related to local highways.

11 2. Deposits in the account established under subd. 1. all of the following:

12 a. All moneys received from this state and from the federal government for local
13 highway purposes.

14 b. All local moneys required by this state, or by the federal government, to
15 match moneys described under subd. 2. a. as a condition of receiving or expending
16 those state or federal moneys.

17 c. All local moneys allocated for local highway purposes by the local governing
18 body.

19 d. All moneys received from a local revenue source that is dedicated to local
20 highways.

21 (b) If a municipality or county does not meet the requirements under par. (a)
22 at the time that aid should be paid under this section, the department shall withhold
23 the aid payment until the municipality or county meets the requirements under par.

24 (a). When the municipality or county meets the requirements under par. (a), the

1 department shall pay the aid withheld under this paragraph, without interest,
2 except that, if the municipality or county fails to meet the requirements under par.
3 (a) within 180 days after the time that the aid should be paid, that aid is forfeited and
4 may not be paid to that municipality or county. Aid that is forfeited under this
5 paragraph shall be counted under sub. (2) as if the aid had been paid.

6 (c) The department, in consultation with the representatives appointed under
7 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
8 department may not require any eligible applicant to do any of the following:

9 1. Pay expenses related to law enforcement using moneys from an account
10 established under this subsection.

11 2. Maintain separate checking accounts to implement this subsection, if the
12 eligible applicant implements this subsection by segregating revenues and
13 expenditures described in this subsection in the eligible applicant's bookkeeping
14 system.”.

15 **1053.** Page 978, line 13: before “The department” insert “Not later than
16 December 15, 2001, and biennially thereafter, each municipality and county shall
17 assess the physical condition of highways under its jurisdiction, using a pavement
18 rating system approved by the department and report the results of that assessment
19 to the department.”.

20 **1054.** Page 978, line 13: after “mileage” insert “or other data concerning
21 highways”.

22 **1055.** Page 978, line 15: delete “mileage” and substitute “data”.

23 **1056.** Page 978, line 17: delete “jurisdictional mileage” and substitute
24 “jurisdictional mileage”.

1 **1057.** Page 978, line 18: delete “determination efforts” and substitute
2 “determination efforts under this subsection”.

3 **1058.** Page 978, line 19: delete “years.” and substitute “years Information
4 collected under this subsection is inadmissible as evidence, except to show
5 compliance with this subsection.”.

6 **1059.** Page 979, line 25: after that line insert:

7 “**SECTION 1875cb.** 86.31 (1) (am) of the statutes is amended to read:

8 86.31 (1) (am) “County highway improvement program district committee”
9 means a committee established by the department by rule under sub. (6) (f)
10 consisting of ~~not more than 5 county executives or county board chairpersons in~~
11 ~~counties that do not have county executives, or their designees, all of the county~~
12 highway commissioners from counties within a county highway improvement
13 program district.

14 **SECTION 1875cg.** 86.31 (2) (b) of the statutes is amended to read:

15 86.31 (2) (b) Except as provided in par. (d), improvements for highway
16 construction projects funded under the program shall be under contracts. Such
17 contracts shall be awarded on the basis of competitive bids and shall be awarded to
18 the lowest responsible bidder. If a city, ~~village or town~~ or village does not receive a
19 responsible bid for an improvement, the city, ~~village or town~~ or village may contract
20 with a county for the improvement. A town may contract with a county for the
21 improvement subject to the criteria and procedures promulgated as rules under sub.
22 (6) (h).

23 **SECTION 1875dc.** 86.31 (2) (d) 1. of the statutes is repealed.

24 **SECTION 1875dd.** 86.31 (2) (d) 1m. of the statutes is created to read:

1 86.31 (2) (d) 1m. The county highway department demonstrates that it is
2 cost-effective for it to perform the work and that competitive bidding is to be used
3 for improvements with an estimated total cost at least equal to the total funds
4 allocated for its county trunk highway improvements under the program during the
5 current biennium.

6 **SECTION 1875de.** 86.31 (2) (d) 2. of the statutes is repealed.

7 **SECTION 1875df.** 86.31 (2) (d) 3. of the statutes is repealed.

8 **SECTION 1875dg.** 86.31 (2) (d) 5. of the statutes is renumbered 86.31 (2) (d) 5.
9 (intro.) and amended to read:

10 86.31 (2) (d) 5. (intro.) Each county highway improvement program district
11 committee shall ~~be responsible for ensuring compliance with this paragraph. do all~~
12 of the following with respect to any work to be performed by any county highway
13 department within the county highway improvement program district:

14 **SECTION 1875dh.** 86.31 (2) (d) 5. a. and b. of the statutes are created to read:

15 86.31 (2) (d) 5. a. Review the proposed work and determine that it is
16 cost-effective for the county highway department to perform the work.

17 b. Approve the proposed work prior to its being performed by the county
18 highway department.”.

19 **1060.** Page 980, line 1: before that line insert:

20 **“SECTION 1875cd.** 86.31 (1) (f) of the statutes is created to read:

21 86.31 (1) (f) “Street” has the meaning given in s. 340.01 (64).

22 **SECTION 1875ce.** 86.31 (2) (a) of the statutes is amended to read:

23 86.31 (2) (a) The department shall administer a local roads improvement
24 program to accelerate the improvement of seriously deteriorating local roads by

1 reimbursing political subdivisions for improvements. The selection of improvements
2 that may be funded under the program shall be performed by officials of each political
3 subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r).
4 The department shall notify each county highway commissioner of any deadline that
5 affects eligibility for reimbursement under the program no later than 15 days before
6 such deadline.

7 **SECTION 1875di.** 86.31 (3) (b) (intro.) of the statutes is amended to read:

8 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
9 deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department
10 shall allocate funds for entitlement as follows:”.

11 **1061.** Page 980, line 3: delete “\$1,500,000” and substitute “\$2,000,000”.

12 **1062.** Page 980, line 6: after that line insert:

13 “**SECTION 1875gd.** 86.31 (6) (g) of the statutes is created to read:

14 86.31 (6) (g) Specific criteria for making determinations of cost–effectiveness
15 under sub. (2) (d) 5. a. and procedures for review by the department of disputes
16 relating to whether proposed work to be performed by a county highway department
17 is cost–effective for purposes of sub. (2) (d) 5. a.

18 **SECTION 1875ge.** 86.31 (6) (h) of the statutes is created to read:

19 86.31 (6) (h) Criteria and procedures for contracting with a county for a town
20 road improvement that includes at least all of the following:

21 1. A requirement that a written and sealed estimate of the cost of the
22 improvement that includes the source of the estimate be prepared prior to the time
23 set for the opening of bids for the improvement and not be opened until after the
24 opening of all bids.

2. A requirement that all bids may be rejected and the contract awarded to a county for the improvement if the lowest bid exceeds the cost estimate under subd. 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid was received, the bidder to provide information on the accuracy of the cost estimate under subd. 1.

3. A requirement that the amount of the contract with a county for the improvement be at least 10% below the lowest bid received for the improvement.

4. A provision that permits rebidding if the amount of the proposed contract with a county for the improvement is less than 10% below the lowest bid received for the improvement.”.

1063. Page 980, line 6: after that line insert:

“**SECTION 1875fd.** 86.31 (3r) of the statutes is created to read:

86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s. 20.395 (2) (fr), the department shall allocate \$1,250,000 in fiscal year 1999–2000, and \$750,000 in each fiscal year thereafter, to fund municipal street improvement projects having total estimated costs of \$250,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

SECTION 1875gc. 86.31 (6) (d) of the statutes is amended to read:

86.31 (6) (d) Procedures for reimbursements for county trunk highway improvements under sub. (3g) ~~and~~, for town road improvements under sub. (3m) and for municipal street improvements under sub. (3r).”.

1064. Page 980, line 6: after that line insert:

“**SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:

1 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
2 an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the
3 department may not proceed under this subsection, or otherwise review the
4 amendment, to determine whether the ordinance, as amended, is insufficient.”.

5 **1065.** Page 980, line 6: after that line insert:

6 “**SECTION 1876m.** 88.01 (8m) of the statutes is created to read:

7 88.01 (8m) “Duck Creek Drainage District” has the meaning given in s. 30.01
8 (1nm).”.

9 **1066.** Page 980, line 11: substitute “60%” for “40%”.

10 **1067.** Page 980, line 17: substitute “2006” for “2004”.

11 **1068.** Page 980, line 17: after that line insert:

12 “**SECTION 1903.** 91.75 (1) of the statutes is repealed and recreated to read:

13 91.75 (1) A minimum lot size is specified.”.

14 **1069.** Page 980, line 17: after that line insert:

15 “**SECTION 1909m.** 92.05 (3) (L) of the statutes is created to read:

16 92.05 (3) (L) *Technical assistance; performance standards.* The department
17 shall provide technical assistance to county land conservation committees and local
18 units of government for the development of ordinances that implement standards
19 adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department’s
20 technical assistance shall include preparing model ordinances, providing data
21 concerning the standards and reviewing draft ordinances to determine whether the
22 draft ordinances comply with applicable statutes and rules.”.

23 **1070.** Page 980, line 17: after that line insert:

24 “**SECTION 1877d.** 88.31 (7m) of the statutes is created to read:

1 **88.31 (7m)** The Duck Creek Drainage District is exempt from the permit
2 requirements and procedures under subs. (1) to (7).

3 **SECTION 1877e.** 88.31 (8) (intro.) of the statutes is amended to read:

4 **88.31 (8)** (intro.) Subject to other restrictions imposed by this chapter, a
5 drainage board which has obtained a permit under this chapter all of the permits as
6 required under this chapter and ch. 30 may:

7 **SECTION 1877f.** 88.35 (5m) of the statutes is amended to read:

8 **88.35 (5m)** If navigable waters are affected by the proposed drainage, the
9 drainage board shall obtain a permit under s. 88.31. This subsection does not apply
10 to the Duck Creek Drainage District.

11 **SECTION 1877j.** 88.62 (3) of the statutes is renumbered 88.62 (3) (a) and
12 amended to read:

13 **88.62 (3)** (a) If drainage work is undertaken in navigable waters, the drainage
14 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the
15 department of natural resources, except as provided in par. (b).

16 **SECTION 1877k.** 88.62 (3) (b) of the statutes is created to read:

17 **88.62 (3)** (b) If drainage work is undertaken in navigable waters located in the
18 Duck Creek Drainage District, the board for that district shall obtain a permit under
19 s. 30.20 or ch. 31, as directed by the department of natural resources.

20 **SECTION 1877m.** 88.72 (3) of the statutes is amended to read:

21 **88.72 (3)** At the hearing on the petition, any interested person may appear and
22 contest its sufficiency and the necessity for the work. If the drainage board finds that
23 the petition has the proper number of signers and that to afford an adequate outlet
24 it is necessary to remove dams or other obstructions from waters and streams which
25 may be navigable, or to straighten, clean out, deepen or widen any waters or streams

1 either within or beyond the limits of the district, the board shall ~~file an application~~
2 ~~with the department of natural resources as provided in s. 30.20 or 88.31, as directed~~
3 ~~by the department of natural resources. Thereafter, proceedings shall be had as~~
4 ~~provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that
5 is required under this chapter or ch. 30 or 31.

6 **SECTION 1877p.** 88.72 (4) of the statutes is amended to read:

7 88.72 (4) Within 30 days after the department of natural resources has issued
8 ~~a permit under s. 30.20 or 88.31~~ all of the permits as required under this chapter and
9 chs. 30 and 31, the board shall proceed to estimate the cost of the work, including the
10 expenses of the proceeding together with the damages that will result from the work,
11 and shall, within a reasonable time, award damages to all lands damaged by the
12 work and assess the cost of the work against the lands in the district in proportion
13 to the assessment of benefits then in force.”.

14 **1071.** Page 991, line 9: after that line insert:

15 “**SECTION 1930r.** 93.07 (7) (e) of the statutes is created to read:

16 93.07 (7) (e) On September 1 of each year, to submit a consumer
17 telecommunication services report to the chief clerk of each house of the legislature
18 for distribution to the appropriate standing committees under s. 13.172 (3). The
19 report shall contain all of the following information for the preceding 12 months:

20 1. The types of consumer complaints received by the department regarding
21 telecommunication services, by category.

22 2. The number of consumer complaints in each category reported under subd.
23 1. and the aggregate number of consumer complaints for all categories reported
24 under subd. 1.

1 3. The number of consumer complaints reported under subd. 1. that the
2 department referred to the department of justice for prosecution and the result of
3 those prosecutions.

4 4. A description of the department's efforts to coordinate with the department
5 of justice and the public service commission to respond to and address consumer
6 complaints regarding telecommunication services and the results of those efforts.

7 5. A description of how the services offered by the department to respond to and
8 address consumer complaints regarding telecommunication services differ from
9 those offered by the department of justice and the public service commission.”.

10 **1072.** Page 991, line 9: after that line insert:

11 “**SECTION 1931v.** 93.135 (1) (intro.) of the statutes is amended to read:

12 93.135 (1) (intro.) The Except as provided in sub. (1m), the department shall
13 require each applicant who is an individual to provide the department with the
14 applicant's social security number as a condition of issuing or renewing any of the
15 following.”.

16 **1073.** Page 991, line 11: after that line insert:

17 “**SECTION 1932c.** 93.135 (1m) of the statutes is created to read:

18 93.135 (1m) (a) If an individual who applies for the issuance or renewal of a
19 license, registration, registration certificate or certification specified in sub. (1) does
20 not have a social security number, the department shall require the applicant, as a
21 condition of issuing or renewing the license, registration, registration certificate or
22 certification, to submit a statement made or subscribed under oath or affirmation
23 that the applicant does not have a social security number. The statement shall be
24 in the form prescribed by the department of workforce development.

1 (b) A license, registration, registration certificate or certification specified in
2 sub. (1) that is issued in reliance on a statement submitted under par. (a) is invalid
3 if the statement is false.”.

4 **1074.** Page 991, line 12: delete lines 12 to 19.

5 **1075.** Page 991, line 21: delete the material beginning with that line and
6 ending with page 992, line 2, and substitute:

7 “**SECTION 1933gm.** 93.70 of the statutes is created to read:

8 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In
9 this section:

10 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

11 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955
12 (1).

13 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend
14 funds from the appropriation account under s. 20.866 (2) (wf) to improve water
15 quality, erosion control and wildlife habitat through participation by this state in the
16 conservation reserve enhancement program as approved by the secretary of the
17 federal department of agriculture under 16 USC 3834 (f) (4). The department shall
18 administer the program in cooperation with the department of natural resources.

19 **(3) FORMS OF PARTICIPATION.** (a) Land enrolled in the conservation reserve
20 enhancement program may either be subject to a permanent conservation easement
21 or to a contract under which the owner of the land agrees to remove the land from
22 agricultural production. The department shall provide greater financial incentives
23 for landowners to grant permanent easements than to enter into contracts. The

1 department shall provide a financial bonus to landowners who allow public access
2 to enrolled land.

3 (b) The department shall administer the conservation reserve enhancement
4 program so that at least 50% of the acreage of land enrolled in the program is covered
5 by permanent conservation easements under par. (a). If, after 50,000 acres of land
6 have been enrolled in the program, less than 50% of the acreage of land enrolled in
7 the program is covered by permanent conservation easements, the department and
8 the department of natural resources shall review the effectiveness of the program to
9 determine whether the program is meeting its water quality and wildlife habitat
10 objectives and shall report the results of the review to the legislature under s. 13.172
11 (2).

12 (c) On behalf of this state, the department and the department of natural
13 resources shall jointly hold conservation easements entered into for land enrolled in
14 the conservation reserve enhancement program.

15 (d) The department may provide funding from the appropriation under s.
16 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years
17 or longer.

18 **(4) GRASSLAND COMPONENT.** (a) If the plan approved by the secretary of the
19 federal department of agriculture authorizes this state to enroll 100,000 or more
20 acres in the conservation resource enhancement program, the department shall
21 administer the program so that at least 30,000 acres are designated for grassland
22 wildlife habitat. If the secretary of the federal department of agriculture authorizes
23 this state to enroll fewer than 100,000 acres, the department shall administer the
24 program so that at least 30% of the acreage of land enrolled in the program is
25 designated for grassland wildlife habitat. The department shall designate for

1 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane
2 and Green counties, the prairie chicken range in Portage, Clark, Taylor and
3 Marathon counties and the western prairie area in Polk and St. Croix counties.

4 (b) The department may not require that land designated for grassland wildlife
5 habitat be riparian land.

6 (c) The department shall provide a financial bonus to landowners who enroll
7 land that is designated for grassland habitat if the land is adjacent to land that is
8 owned by another person and that is enrolled and designated for grassland habitat.
9 The department shall also provide a financial bonus to a landowner who enrolls land
10 that is designated for grassland habitat if the landowner agrees to implement a
11 conservation practice that requires restoration of native prairie vegetation.

12 **(5) PARTICIPATION REQUIREMENTS.** The department may not impose more
13 restrictive requirements for participation in the conservation reserve enhancement
14 program with respect to production and land ownership than are required by the
15 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

16 **(6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT.** A nonprofit
17 conservation organization may negotiate contracts or easements under sub. (3) (a)
18 with landowners with the assistance of the department and the department of
19 natural resources. A county may negotiate contracts or easements under sub. (3) (a)
20 with landowners with the assistance of the department and the department of
21 natural resources. In counties that do not choose to participate, the department and
22 the department of natural resources shall negotiate the contracts or easements.

23 **(7) PROHIBITION.** No person may use land enrolled in the conservation reserve
24 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game

1 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.
2 29.869 or a deer farm licensed under s. 29.871.”.

3 **1076.** Page 992, line 9: delete “amount”.

4 **1077.** Page 992, line 10: delete lines 10 and 11 and substitute “person is
5 licensed under sub. (3).”.

6 **1078.** Page 992, line 16: delete that line and substitute “grows nursery stock
7 for sale.”.

8 **1079.** Page 992, line 17: delete lines 17 to 19.

9 **1080.** Page 992, line 20: delete that line and substitute ““Nursery” does not”.

10 **1081.** Page 992, line 23: delete “or Christmas”.

11 **1082.** Page 992, line 24: delete “tree grower”.

12 **1083.** Page 993, line 10: delete that line.

13 **1084.** Page 996, line 1: after “(c)” insert “and under par. (cm), if applicable”.

14 **1085.** Page 996, line 6: after “(e)” insert “, plus the additional license fee
15 under par. (cm), if applicable”.

16 **1086.** Page 996, line 8: delete that line and substitute “stock, \$40.”.

17 **1087.** Page 996, line 10: delete “and Christmas trees, \$100” and substitute
18 “, \$75”.

19 **1088.** Page 996, line 12: delete “and Christmas trees, \$200” and substitute
20 “, \$125”.

21 **1089.** Page 996, line 14: delete “and Christmas trees, \$400” and substitute
22 “, \$200”.

1 **1090.** Page 996, line 16: delete “and Christmas trees, \$600” and substitute
2 “, \$350”.

3 **1091.** Page 996, line 18: delete “and Christmas trees, \$1,200” and substitute
4 “, \$600”.

5 **1092.** Page 996, line 20: delete “and Christmas trees, \$2,400” and substitute
6 “, \$1,200”.

7 **1093.** Page 996, line 21: before that line insert:

8 “(cm) *Additional license fee for Christmas tree sales.* A nursery grower that
9 sells Christmas trees shall pay the following additional license fee, based on annual
10 sales calculated according to par. (e):

11 1. If the nursery grower annually sells no more than \$5,000 worth of Christmas
12 trees, \$20.

13 2. If the nursery grower annually sells more than \$5,000 but not more than
14 \$20,000 worth of Christmas trees, \$55.

15 3. If the nursery grower annually sells more than \$20,000 but not more than
16 \$100,000 worth of Christmas trees, \$90.

17 4. If the nursery grower annually sells more than \$100,000 but not more than
18 \$200,000 worth of Christmas trees, \$150.

19 5. If the nursery grower annually sells more than \$200,000 but not more than
20 \$500,000 worth of Christmas trees, \$250.

21 6. If the nursery grower annually sells more than \$500,000 but not more than
22 \$2,000,000 worth of Christmas trees, \$450.

23 7. If the nursery grower annually sells more than \$2,000,000 worth of
24 Christmas trees, \$900.”.

1 **1094.** Page 996, line 22: after “(c)” insert “and under par. (cm), if applicable”.

2 **1095.** Page 997, line 4: delete “and”.

3 **1096.** Page 997, line 5: delete “Christmas trees”.

4 **1097.** Page 997, line 6: after “sales” insert “of nursery stock”.

5 **1098.** Page 997, line 8: after the period insert “If par. (cm) applies to an
6 applicant, the amount of the applicant’s additional license fee under par. (cm) for a
7 license year shall be based on the applicant’s sales of Christmas trees during the
8 applicant’s preceding fiscal year, except that if the applicant made no sales of
9 Christmas trees during the preceding fiscal year the fee shall be based on the
10 applicants good faith prediction of sales during the license year for which the
11 applicant is applying.”.

12 **1099.** Page 998, line 2: delete “or nursery stock”.

13 **1100.** Page 998, line 3: delete “or nursery stock”.

14 **1101.** Page 998, line 10: on lines 10, 12, 14, 16, 18, 20 and 22, delete “and
15 nursery stock”.

16 **1102.** Page 998, line 25: delete “and nursery stock”.

17 **1103.** Page 999, line 5: delete “and nursery stock”.

18 **1104.** Page 999, line 11: delete “or Christmas tree grower”.

19 **1105.** Page 999, line 15: after that line insert:

20 “(c) The holder of a Christmas tree grower license shall notify the department
21 in writing before adding, during the license year, any new location at which the
22 license holder will grow evergreen trees for eventual sale as Christmas trees or hold
23 Christmas trees for sale.”.

1 **1106.** Page 1000, line 15: delete that line and substitute “nursery stock,”.

2 **1107.** Page 1002, line 9: delete that line and substitute “inspect premises at”.

3 **1108.** Page 1006, line 16: delete lines 16 to 24 and substitute:

4 “**SECTION 1942mc.** 94.695 of the statutes is created to read:

5 **94.695 Pesticide sales and use reporting system. (1) PROPOSAL.** The
6 department shall develop a proposal for a pesticide sales and use reporting system
7 and shall, no later than July 1, 2000, submit the proposal to the joint committee on
8 finance for review.

9 **(2) FUNDING.** If the joint committee on finance approves the proposal under sub.
10 (1), it may, from the appropriation under s. 20.865 (4) (u), supplement the
11 appropriation under s. 20.115 (7) (uc) in an amount not to exceed \$250,000 and the
12 appropriation under s. 20.115 (7) (ue) in an amount not to exceed \$150,000.
13 Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an
14 emergency exists.

15 **(3) PILOT PROJECT.** If the joint committee on finance approves the proposal
16 under sub. (1), the department shall administer a pilot program to test the pesticide
17 sales and use reporting system.”.

18 **1109.** Page 1007, line 1: delete lines 1 to 25.

19 **1110.** Page 1008, line 1: delete lines 1 to 25.

20 **1111.** Page 1009, line 1: delete lines 1 to 25.

21 **1112.** Page 1010, line 1: delete lines 1 to 24.

22 **1113.** Page 1011, line 1: delete lines 1 and 2.

23 **1114.** Page 1012, line 14: after that line insert:

1 **“SECTION 1945s.** 95.197 of the statutes is created to read:

2 **95.197 Financial assistance for paratuberculosis testing. (1)** The
3 department shall provide financial assistance to owners of livestock herds for
4 conducting testing for paratuberculosis. The department may only provide financial
5 assistance under this section for the first time that the owner of a livestock herd tests
6 the herd.

7 **(2)** The department shall promulgate rules for providing financial assistance
8 under sub. (1).”.

9 **1115.** Page 1012, line 20: after that line insert:

10 **“SECTION 1946m.** 97.30 (1) (bm) of the statutes is repealed and recreated to
11 read:

12 97.30 **(1)** (bm) Except as provided by the department by rule, “potentially
13 hazardous food” means a food that requires temperature control because it is in a
14 form capable of supporting any of the following:

- 15 1. Rapid and progressive growth of infectious or toxigenic microorganisms.
16 2. Growth and toxin production of *Clostridium botulinum*.
17 3. In raw shell eggs, growth of *Salmonella enteritidis*.

18 **SECTION 1946n.** 97.42 (4) (intro.) of the statutes is amended to read:

19 97.42 **(4)** RULES. (intro.) The department shall may issue reasonable rules
20 requiring or prescribing any of the following:

21 **SECTION 1946p.** 97.42 (4m) of the statutes is created to read:

22 97.42 **(4m)** FEDERAL REQUIREMENTS. Except as provided in rules promulgated
23 under sub. (4), the operator of an establishment that is required to be licensed under
24 this section shall comply with 9 CFR parts 307 to 311, 313 to 315, 317 to 319, 416 and

1 417 and part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed
2 establishments.”.

3 **1116.** Page 1014, line 6: after that line insert:

4 “SECTION 1952m. 98.12 of the statutes is amended to read:

5 **98.12 ~~Standard containers; frozen desserts~~ Sale of ice cream and**
6 **similar frozen products.** Ice cream, ice milk, water ices or other frozen desserts
7 of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~
8 ~~and shall be packaged only in containers with capacities of one-half liquid pint, one~~
9 ~~liquid pint, one liquid quart, or a multiple of one liquid quart.~~ This section does not
10 apply if such the products are packaged at time of sale at retail or sold in quantities
11 of less than one-half liquid pint.”.

12 **1117.** Page 1014, line 10: after that line insert:

13 “SECTION 1953e. 98.21 of the statutes is repealed and recreated to read:

14 **98.21 Sale of bread. (1)** Except as provided in sub. (2), no person may
15 manufacture for sale in this state, offer to sell or sell bread unless the bread is sold
16 by weight.

17 **(2)** Subsection (1) does not apply to stale bread if the bread is conspicuously
18 marked “stale bread” or is placed in a container conspicuously marked “stale bread”
19 and sold as and for stale bread.”.

20 **1118.** Page 1015, line 9: delete the material beginning with that line and
21 ending with page 1016, line 9.

22 **1119.** Page 1017, line 6: after that line insert:

23 “SECTION 1972h. 101.02 (20) (b) of the statutes is amended to read:

1 101.02 (20) (b) The Except as provided in par. (e), the department of commerce
2 may not issue or renew a license unless each applicant who is an individual provides
3 the department of commerce with his or her social security number and each
4 applicant that is not an individual provides the department of commerce with its
5 federal employer identification number. The department of commerce may not
6 disclose the social security number or the federal employer identification number of
7 an applicant for a license or license renewal except to the department of revenue for
8 the sole purpose of requesting certifications under s. 73.0301.

9 **SECTION 1972k.** 101.02 (20) (e) of the statutes is created to read:

10 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
11 security number, the applicant, as a condition of applying for or applying to renew
12 a license shall submit a statement made or subscribed under oath or affirmation to
13 the department of commerce that the applicant does not have a social security
14 number. The form of the statement shall be prescribed by the department of
15 workforce development.

16 2. Any license issued or renewed in reliance upon a false statement submitted
17 by an applicant under subd. 1 is invalid.”.

18 **1120.** Page 1017, line 13: after that line insert:

19 “**SECTION 1972n.** 101.02 (21) (b) of the statutes is amended to read:

20 101.02 (21) (b) As provided in the memorandum of understanding under s.
21 49.857 and except as provided in par. (e), the department of commerce may not issue
22 or renew a license unless the applicant provides the department of commerce with
23 his or her social security number. The department of commerce may not disclose the
24 social security number except that the department of commerce may disclose the

1 social security number of an applicant for a license under par. (a) or a renewal of a
2 license under par. (a) to the department of workforce development for the sole
3 purpose of administering s. 49.22.

4 **SECTION 1972r.** 101.02 (21) (e) of the statutes is created to read:

5 101.02 **(21)** (e) 1. If an applicant who is an individual does not have a social
6 security number, the applicant, as a condition of applying for or applying to renew
7 a license shall submit a statement made or subscribed under oath or affirmation to
8 the department of commerce that the applicant does not have a social security
9 number. The form of the statement shall be prescribed by the department of
10 workforce development.

11 2. Any license issued or renewed in reliance upon a false statement submitted
12 by an applicant under subd. 1 is invalid.”.

13 **1121.** Page 1017, line 24: after that line insert:

14 “**SECTION 1975m.** 101.09 (2) (cm) of the statutes is created to read:

15 101.09 **(2)** (cm) Any rules promulgated under sub. (3) requiring an owner to test
16 the ability of a storage tank, connected piping or ancillary equipment to prevent an
17 inadvertent release of a stored substance or requiring an owner to permanently close
18 or upgrade a storage tank do not apply to storage tanks that satisfy all of the
19 following:

20 1. Are installed before the effective date of this subdivision [revisor inserts
21 date].

22 2. Have a capacity of less than 1,100 gallons.

23 3. Are used to store heating oil for residential, consumptive use on the premises
24 where stored.”.

1 **1122.** Page 1018, line 14: after that line insert:

2 “**SECTION 1976r.** 101.123 (1) (b) of the statutes is amended to read:

3 101.123 **(1)** (b) “Inpatient health care facility” means a county home
4 established under s. 49.70, a county infirmary established under s. 49.72, or a
5 community-based residential facility or a nursing home licensed under s. 50.03 ~~or~~
6 ~~a tuberculosis sanatorium established under s. 58.06, 252.073 or 252.076.”.~~

7 **1123.** Page 1022, line 3: after “include” insert “individualized”.

8 **1124.** Page 1022, line 4: after “contamination” insert “at each site”.

9 **1125.** Page 1023, line 7: delete lines 7 to 11.

10 **1126.** Page 1023, line 16: delete “\$80,000” and substitute “\$60,000”.

11 **1127.** Page 1024, line 1: delete lines 1 to 3.

12 **1128.** Page 1025, line 7: after “method” insert “and shall notify the owner or
13 operator that reimbursement for remedial action under this section is limited to the
14 amount necessary to implement that method”.

15 **1129.** Page 1025, line 8: delete “subd. 1.,” and substitute “subds. 1. and 2., the
16 department of natural resources and”.

17 **1130.** Page 1025, line 13: after “actions.” insert “The department of
18 commerce and the department of natural resources may review and modify an
19 amount established under subd. 2. if the departments determine that new
20 circumstances, including newly discovered contamination at a site, warrant those
21 actions.”.

1 **1131.** Page 1026, line 3: after “method” insert “and shall notify the owner or
2 operator that reimbursement under this section for remedial action conducted after
3 the date of the notice is limited to the amount necessary to implement that method”.

4 **1132.** Page 1026, line 9: after “actions.” insert “The department of commerce
5 and the department of natural resources may review and modify an amount
6 established under subd. 2. if the departments determine that new circumstances,
7 including newly discovered contamination at a site, warrant those actions.”.

8 **1133.** Page 1027, line 14: delete lines 14 to 18.

9 **1134.** Page 1029, line 1: delete lines 1 to 3 and substitute:

10 “101.143 (4) (c) 11. Costs that exceed the amount necessary to comply with sub.
11 (3) (c) 3. and with enforcement standards using the least costly method.”.

12 **1135.** Page 1029, line 6: after “(cw) 1.” insert “or 2.”.

13 **1136.** Page 1029, line 7: delete “notice, subject to par.” and substitute
14 “notice.”.

15 **1137.** Page 1029, line 8: delete that line.

16 **1138.** Page 1030, line 19: delete “\$5,000 plus 4%” and substitute “\$3,000 plus
17 3%”.

18 **1139.** Page 1030, line 20: substitute “\$60,000” for “\$100,000”.

19 **1140.** Page 1032, line 22: delete lines 22 to 25 and substitute:

20 “(g) 1. Subject to the limitation under subd. 2., the building commission shall
21 contract revenue obligations under this subsection, as soon as practicable after the
22 effective date of this subdivision [revisor inserts date], in the maximum amount

1 that the building commission believes can be fully paid on a timely basis from moneys
2 received or anticipated to be received.

3 2. Revenue obligations issued under this subsection may not”.

4 **1141.** Page 1033, line 6: delete lines 6 to 21.

5 **1142.** Page 1036, line 6: after “in” insert “fractured”.

6 **1143.** Page 1037, line 25: delete “501 (c) (3)” and substitute “501 (c) (6)”.

7 **1144.** Page 1038, line 12: delete lines 12 and 13 and substitute “granted
8 under s. 101.65 (1) (a) jointly under s. 101.65 (1) (b), unless any of the following
9 conditions are met.”.

10 **1145.** Page 1038, line 14: delete that line and substitute: “(a) The
11 municipality adopts a resolution requesting under sub. (3) (a) that a county enforce
12 this”.

13 **1146.** Page 1038, line 16: delete “the department or”.

14 **1147.** Page 1038, line 19: delete that line and substitute: “(b) The
15 municipality adopts a resolution determining not to exercise jurisdiction over the
16 construction and inspection”.

17 **1148.** Page 1038, line 21: delete “sub. (3) that the department or” and
18 substitute “sub. (3) (a) that”.

19 **1149.** Page 1038, line 23: delete “sub. (3) that the department” and substitute
20 “sub. (3) (a) that”.

21 **1150.** Page 1038, line 24: delete “or”.

22 **1151.** Page 1038, line 25: after that line insert:

1 “(c) Under sub. (3) (b), the department enforces this subchapter or an ordinance
2 enacted under s. 101.65 (1) (a) throughout the municipality and provides inspection
3 services in the municipality to administer and enforce this subchapter or an
4 ordinance enacted under s. 101.65 (1) (a).”.

5 **1152.** Page 1039, line 1: before that line insert:

6 “**SECTION 1998aw.** 101.651 (3) (title) of the statutes is created to read:

7 101.651 (3) (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES;
8 GENERALLY.”.

9 **1153.** Page 1039, line 1: delete lines 1 to 3 and substitute:

10 “**SECTION 1998ax.** 101.651 (3) of the statutes is renumbered 101.651 (3) (a) and
11 amended to read:

12 101.651 (3) (a) Except as provided in par. (b) or sub. (3m) ~~or (3s)~~, the department
13 or a county may not enforce”.

14 **1154.** Page 1039, line 10: after that line insert:

15 “**SECTION 1998az.** 101.651 (3) (b) of the statutes is created to read:

16 101.651 (3) (b) The department shall provide inspection services and shall
17 enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout
18 any municipality that does not exercise jurisdiction under sub. (2m) and that has not
19 adopted a resolution under sub. (2m) (a) or (b).”.

20 **1155.** Page 1040, line 23: delete “registered in that person’s name and”.

21 **1156.** Page 1043, line 22: after that line insert:

22 “**(1m)** On the form or in the automated format for application for a certificate
23 of title, the department may show the fee under s. 101.9208 (1) (dm) separately from
24 the fee under s. 101.9208 (1) (a) or (d).”.

1 **1157.** Page 1047, line 4: before “The department” insert “(1)”.

2 **1158.** Page 1047, line 5: delete “(1)” and substitute “(a)”.

3 **1159.** Page 1047, line 7: delete “(2)” and substitute “(b)”.

4 **1160.** Page 1047, line 15: delete “(3)” and substitute “(c)”.

5 **1161.** Page 1047, line 17: delete “(4)” and substitute “(d)”.

6 **1162.** Page 1047, line 18: after that line insert:

7 “(dm) Upon filing an application under par. (a) or (d), a supplemental title fee
8 of \$7.50 by the owner of the mobile home, except that this fee shall be waived with
9 respect to an application under par. (d) for transfer of a decedent’s interest in a mobile
10 home to his or her surviving spouse. The fee specified under this paragraph is in
11 addition to any other fee specified in this section.”.

12 **1163.** Page 1047, line 19: delete “(6)” and substitute “(f)”.

13 **1164.** Page 1047, line 21: delete “(7)” and substitute “(g)”.

14 **1165.** Page 1047, line 22: delete “(8)” and substitute “(h)”.

15 **1166.** Page 1048, line 1: delete “(9)” and substitute “(i)”.

16 **1167.** Page 1048, line 3: delete lines 3 and 4.

17 **1168.** Page 1048, line 5: before that line insert:

18 “(2) All fees collected under sub. (1), except fees collected under sub. (1) (b),
19 shall be deposited in the transportation fund.”.

20 **1169.** Page 1056, line 12: delete “registers” and substitute “register”.

1 **1170.** Page 1060, line 9: delete lines 9 and 10 and substitute “could then be
2 issued for the mobile home, or if the currently valid certificate of title for the mobile
3 home is surrendered to the”.

4 **1171.** Page 1063, line 3: delete the material beginning with that line and
5 ending with page 1070, line 8.

6 **1172.** Page 1079, line 7: after that line insert:

7 “**SECTION 2000q.** 102.26 (2m) of the statutes is repealed.”.

8 **1173.** Page 1079, line 7: after that line insert:

9 “**SECTION 2000m.** 102.17 (1) (cg) 1. of the statutes is amended to read:

10 102.17 (1) (cg) 1. The Except as provided in subd. 2m., the department shall
11 require each applicant for a license under par. (c) who is an individual to provide the
12 department with the applicant’s social security number, and shall require each
13 applicant for a license under par. (c) who is not an individual to provide the
14 department with the applicant’s federal employer identification number, when
15 initially applying for or applying to renew the license.

16 **SECTION 2000n.** 102.17 (1) (cg) 2. of the statutes is amended to read:

17 102.17 (1) (cg) 2. The If an applicant who is an individual fails to provide the
18 applicant’s social security number to the department or if an applicant who is not an
19 individual fails to provide the applicant’s federal employer identification number to
20 the department, the department may not issue or renew a license under par. (c) to
21 or for an the applicant who is an individual unless the applicant has provided the
22 applicant’s is an individual who does not have a social security number to the
23 department and may not issue or renew a license under par. (c) to or for an applicant
24 who is not an individual unless the applicant has provided the applicant’s federal

1 ~~employer identification number to the department and the applicant submits a~~
2 ~~statement made or subscribed under oath or affirmation as required under subd. 2m.~~

3 **SECTION 2000p.** 102.17 (1) (cg) 2m. of the statutes is created to read:

4 102.17 (1) (cg) 2m. If an applicant who is an individual does not have a social
5 security number, the applicant shall submit a statement made or subscribed under
6 oath or affirmation to the department that the applicant does not have a social
7 security number. The form of the statement shall be prescribed by the department.
8 A license issued in reliance upon a false statement submitted under this subdivision
9 is invalid.”.

10 **1174.** Page 1079, line 11: after that line insert:

11 “**SECTION 2002c.** 102.27 (2) (a) of the statutes, as affected by 1999 Wisconsin
12 Act (this act), is amended to read:

13 102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),
14 301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265 (1) or (2m), ~~767.51 (3m) (c)~~
15 ~~or 767.62 (4) (b) 3.~~”.

16 **1175.** Page 1079, line 20: after that line insert:

17 “**SECTION 2003m.** 102.42 (6) of the statutes is amended to read:

18 102.42 (6) TREATMENT REJECTED BY EMPLOYEE. Unless the employee shall have
19 elected Christian Science treatment in lieu of medical, surgical, dental, or hospital
20 ~~or sanatorium~~ treatment, no compensation shall be payable for the death or
21 disability of an employee, if the death be caused, or insofar as the disability may be
22 aggravated, caused or continued by an unreasonable refusal or neglect to submit to
23 or follow any competent and reasonable medical, surgical or dental treatment or, in
24 the case of tuberculosis, by refusal or neglect to submit to or follow hospital or

1 ~~sanatorium or medical~~ treatment when found by the department to be necessary.
2 The right to compensation accruing during a period of refusal or neglect to submit
3 to or follow hospital ~~or sanatorium or medical~~ treatment when found by the
4 department to be necessary in the case of tuberculosis shall be barred, irrespective
5 of whether disability was aggravated, caused or continued thereby.”.

6 **1176.** Page 1080, line 2: after that line insert:

7 “**SECTION 2005c.** 103.275 (2) (bg) 1. of the statutes is amended to read:

8 103.275 (2) (bg) 1. The Except as provided in subd. 2m., the department shall
9 require each applicant for a house-to-house employer certificate under this
10 subsection who is an individual to provide the department with the applicant’s social
11 security number, and shall require each applicant for a house-to-house employer
12 certificate who is not an individual to provide the department with the applicant’s
13 federal employer identification number, when initially applying for or applying to
14 renew the house-to-house employer certificate.

15 **SECTION 2005d.** 103.275 (2) (bg) 2. of the statutes is amended to read:

16 103.275 (2) (bg) 2. The If an applicant who is an individual fails to provide the
17 applicant’s social security number to the department or if an applicant who is not an
18 individual fails to provide the applicant’s federal employer identification number to
19 the department, the department may not issue or renew a house-to-house employer
20 certificate under this subsection to or for an the applicant ~~who is an individual unless~~
21 ~~the applicant has provided the applicant’s~~ is an individual who does not have a social
22 ~~security number to the department and may not issue or renew a house-to-house~~
23 ~~employer certificate under this subsection to or for an applicant who is not an~~
24 ~~individual unless the applicant has provided the applicant’s federal employer~~

1 ~~identification number to the department and the applicant submits a statement~~
2 ~~made or subscribed under oath or affirmation as required under subd. 2m.~~

3 **SECTION 2005e.** 103.275 (2) (bg) 2m. of the statutes is created to read:

4 103.275 **(2)** (bg) 2m. If an applicant who is an individual does not have a social
5 security number, the applicant shall submit a statement made or subscribed under
6 oath or affirmation to the department that the applicant does not have a social
7 security number. The form of the statement shall be prescribed by the department.
8 A house-to-house employer certificate issued in reliance upon a false statement
9 submitted under this subdivision is invalid.”.

10 **1177.** Page 1080, line 24: after that line insert:

11 “**SECTION 2005hd.** 103.91 (2) (b) 1. of the statutes is amended to read:

12 103.91 **(2)** (b) 1. The Except as provided in subd. 2m., the department shall
13 require each applicant for a certificate under par. (a) who is an individual to provide
14 the department with the applicant’s social security number, and shall require each
15 applicant for a certificate under par. (a) who is not an individual to provide the
16 department with the applicant’s federal employer identification number, when
17 initially applying for or applying to renew the certificate.

18 **SECTION 2005hf.** 103.91 (2) (b) 2. of the statutes is amended to read:

19 103.91 **(2)** (b) 2. The If an applicant who is an individual fails to provide the
20 applicant’s social security number to the department or if an applicant who is not an
21 individual fails to provide the applicant’s federal employer identification number to
22 the department, the department may not issue or renew a certificate under par. (a)
23 to or for an the applicant who is an individual unless the applicant has provided the
24 applicant’s is an individual who does not have a social security number to the

1 ~~department and may not issue or renew a certificate under par. (a) to or for an~~
2 ~~applicant who is not an individual unless the applicant has provided the applicant's~~
3 ~~federal employer identification number to the department and the applicant submits~~
4 ~~a statement made or subscribed under oath or affirmation as required under subd.~~
5 ~~2m.~~

6 **SECTION 2005hg.** 103.91 (2) (b) 2m. of the statutes is created to read:

7 103.91 (2) (b) 2m. If an applicant who is an individual does not have a social
8 security number, the applicant shall submit a statement made or subscribed under
9 oath or affirmation to the department that the applicant does not have a social
10 security number. The form of the statement shall be prescribed by the department.
11 A certificate issued under par. (a) in reliance upon a false statement submitted under
12 this subdivision is invalid.

13 **SECTION 2005hi.** 103.92 (1) (b) 1. of the statutes is amended to read:

14 103.92 (1) (b) 1. The Except as provided in subd. 2m., the department shall
15 require each applicant for a certificate under par. (a) who is an individual to provide
16 the department with the applicant's social security number, and shall require each
17 applicant for a certificate under par. (a) who is not an individual to provide the
18 department with the applicant's federal employer identification number, when
19 initially applying for or applying to renew the certificate.

20 **SECTION 2005hj.** 103.92 (1) (b) 2. of the statutes is amended to read:

21 103.92 (1) (b) 2. The If an applicant who is an individual fails to provide the
22 applicant's social security number to the department or if an applicant who is not an
23 individual fails to provide the applicant's federal employer identification number to
24 the department, the department may not issue or renew a certificate under par. (a)
25 to or for an the applicant who is an individual unless the applicant has provided the

1 ~~applicant's is an individual who does not have a social security number to the~~
2 ~~department and may not issue or renew a certificate under par. (a) to or for an~~
3 ~~applicant who is not an individual unless the applicant has provided the applicant's~~
4 ~~federal employer identification number to the department and the applicant submits~~
5 ~~a statement made or subscribed under oath or affirmation as required under subd.~~
6 ~~2m.~~

7 **SECTION 2005hk.** 103.92 (2) (b) 2m. of the statutes is created to read:

8 103.92 (2) (b) 2m. If an applicant who is an individual does not have a social
9 security number, the applicant shall submit a statement made or subscribed under
10 oath or affirmation to the department that the applicant does not have a social
11 security number. The form of the statement shall be prescribed by the department.
12 A certificate issued under par. (a) in reliance upon a false statement submitted under
13 this subdivision is invalid.

14 **SECTION 2005hm.** 104.07 (4) (a) of the statutes is amended to read:

15 104.07 (4) (a) The Except as provided in par. (bm), the department shall require
16 each applicant for a license under sub. (1) or (2) who is an individual to provide the
17 department with the applicant's social security number, and shall require each
18 applicant for a license under sub. (1) or (2) who is not an individual to provide the
19 department with the applicant's federal employer identification number, when
20 initially applying for or applying to renew the license.

21 **SECTION 2005hn.** 104.07 (4) (b) of the statutes is amended to read:

22 104.07 (4) (b) The If an applicant who is an individual fails to provide the
23 applicant's social security number to the department or if an applicant who is not an
24 individual fails to provide the applicant's federal employer identification number to
25 the department, the department may not issue or renew a license under sub. (1) or

1 ~~(2) to or for an the applicant who is an individual unless the applicant has provided~~
2 ~~the applicant's is an individual who does not have a social security number to the~~
3 ~~department and may not issue or renew a license under sub. (1) or (2) to or for an~~
4 ~~applicant who is not an individual unless the applicant has provided the applicant's~~
5 ~~federal employer identification number to the department and the applicant submits~~
6 ~~a statement made or subscribed under oath or affirmation as required under par.~~
7 ~~(bm).~~

8 **SECTION 2005hp.** 104.07 (4) (bm) of the statutes is created to read:

9 104.07 **(4)** (bm) If an applicant who is an individual does not have a social
10 security number, the applicant shall submit a statement made or subscribed under
11 oath or affirmation to the department that the applicant does not have a social
12 security number. The form of the statement shall be prescribed by the department.
13 A license issued under sub. (1) or (2) in reliance upon a false statement submitted
14 under this paragraph is invalid.

15 **SECTION 2005hs.** 105.06 (1m) (a) of the statutes is amended to read:

16 105.06 **(1m)** (a) The Except as provided in par. (bm), the department shall
17 require each applicant for a license under sub. (1) who is an individual to provide the
18 department with the applicant's social security number, and shall require each
19 applicant for a license under sub. (1) who is not an individual to provide the
20 department with the applicant's federal employer identification number, when
21 initially applying for or applying to renew the license.

22 **SECTION 2005ht.** 105.06 (1m) (b) of the statutes is amended to read:

23 105.06 **(1m)** (b) The If an applicant who is an individual fails to provide the
24 applicant's social security number to the department or if an applicant who is not an
25 individual fails to provide the applicant's federal employer identification number to

1 ~~the department, the~~ department may not issue or renew a license under sub. (1) to
2 or for an ~~the~~ applicant who is an individual unless the applicant has provided the
3 applicant's is an individual who does not have a social security number to the
4 department and may not issue or renew a license under sub. (1) to or for an applicant
5 who is not an individual unless the applicant has provided the applicant's federal
6 employer identification number to the department and the applicant submits a
7 statement made or subscribed under oath or affirmation as required under par. (bm).

8 **SECTION 2005hu.** 105.06 (1m) (bm) of the statutes is created to read:

9 105.06 **(1m)** (bm) If an applicant who is an individual does not have a social
10 security number, the applicant shall submit a statement made or subscribed under
11 oath or affirmation to the department that the applicant does not have a social
12 security number. The form of the statement shall be prescribed by the department.
13 A license issued under sub. (1) in reliance upon a false statement submitted under
14 this paragraph is invalid.”.

15 **1178.** Page 1083, line 8: delete lines 8 to 17 and substitute:

16 “**SECTION 2017d.** 106.13 (1) of the statutes is renumbered 106.13 (1) (intro.) and
17 amended to read:

18 106.13 **(1)** (intro.) The department board shall provide a all of the following:

19 (a) A youth apprenticeship program and a that includes the grant programs
20 under subs. (3) and (4).

21 (b) A school-to-work program in accordance with 20 USC 6101 to 6251 that
22 includes the school-to-work program for children at risk under sub. (4m).

23 **SECTION 2017g.** 106.13 (1) (c) of the statutes is created to read:

1 106.13 (1) (c) A work-based learning program for youths who are eligible to
2 receive temporary assistance for needy families under 42 USC 601 to 619 that
3 includes a component that would permit a participant to earn a youth apprenticeship
4 skills certificate through participation in that program if the participant meets the
5 requirements for earning that certificate.

6 **SECTION 2017j.** 106.13 (1) (d) of the statutes is created to read:

7 106.13 (1) (d) A work-based learning program for students of a tribal college
8 as provided under sub. (4r).”.

9 **1179.** Page 1086, line 7: after that line insert:

10 “**SECTION 2023m.** 106.13 (4r) of the statutes is created to read:

11 106.13 (4r) From the appropriation under s. 20.445 (7) (kd), the board may
12 award a grant to an applying tribal college that is recognized as a land grant college
13 under 7 USC 301, as amended to October 20, 1994, for the provision of work-based
14 learning programs for students of the tribal college if the board approves the
15 application of the tribal college.”.

16 **1180.** Page 1091, line 14: delete “(i) 1., 2. and 3. and”.

17 **1181.** Page 1092, line 2: after that line insert:

18 “**SECTION 2030t.** 109.09 (2) (c) of the statutes is amended to read:

19 109.09 (2) (c) A lien under par. (a) takes precedence over all other debts,
20 judgments, decrees, liens or mortgages against the employer that originate after the
21 lien takes effect as provided in par. (b) 1. or 2., except a lien of a financial institution,
22 as defined in s. 69.30 (1) (b), that originates before the lien under par. (a) takes effect
23 or a lien under s. 292.31 (8) (i) or 292.81, and. A lien under par. (a) may be enforced
24 in the manner provided in ss. 779.09 to 779.12, 779.20 and 779.21, insofar as those

provisions are applicable. The lien ceases to exist if the department of workforce development or the employee does not bring an action to enforce the lien within the period prescribed in s. 893.44 for the underlying wage claim.”.

1182. Page 1092, line 19: delete “(i) 1., 2. or 3. or”.

1183. Page 1092, line 20: delete “(i) 1., 2. or 3. or”.

1184. Page 1092, line 20: after that line insert:

“**SECTION 2033p.** 111.35 (2) (d) of the statutes is amended to read:

111.35 (2) (d) Constitutes a violation of s. ~~938.983~~ 254.92 (2).”.

1185. Page 1092, line 20: after that line insert:

“**SECTION 2033r.** 111.70 (1) (dm) of the statutes is amended to read:

111.70 (1) (dm) “Economic issue” means ~~any issue that creates a new or increased financial liability upon the municipal employer, including salaries, overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing allowances in excess of the actual cost of clothing, length-of-service credit, continuing education credit, shift premium pay, longevity pay, extra duty pay, performance bonuses, health insurance, life insurance, dental insurance, disability insurance, vision insurance, long-term care insurance, worker’s compensation and unemployment insurance, social security benefits,~~ vacation pay, holiday pay, lead worker pay, temporary assignment pay, retirement contributions, supplemental retirement benefits, severance or other separation pay, hazardous duty pay, certification or license payment, ~~job security provisions,~~ limitations on layoffs that create a new or increased financial liability on the employer and contracting or subcontracting of work that would otherwise be performed by municipal employees in the collective bargaining unit with which there is a labor dispute.”.

1 **1186.** Page 1093, line 2: after that line insert:

2 “**SECTION 2037c.** 111.91 (2) (r) of the statutes is created to read:

3 111.91 **(2)** (r) The requirements under s. 609.10 related to offering a
4 point-of-service option plan.”.

5 **1187.** Page 1093, line 2: after that line insert:

6 “**SECTION 2035m.** 111.70 (1) (nc) 1. c. of the statutes is amended to read:

7 111.70 **(1)** (nc) 1. c. A proposal to provide for an average salary increase for each
8 12-month period covered by the proposed collective bargaining agreement,
9 beginning with the expiration date of any previous collective bargaining agreement,
10 for the municipal employees in the collective bargaining unit at least equivalent to an
11 average cost of 2.1% of the total compensation and fringe benefit costs for all
12 municipal employees in the collective bargaining unit for each 12-month period
13 covered by the proposed collective bargaining agreement plus any fringe benefit
14 savings, beginning with the expiration date of any previous collective bargaining
15 agreement, including that percentage required to provide for any step increase and
16 any increase due to a promotion or the attainment of increased professional
17 qualifications, as determined under sub. (4) (cm) 8s., unless the increased cost of
18 providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds 2.1%
19 of the total compensation and fringe benefit costs for all municipal employees in the
20 collective bargaining unit for any 12-month period covered by the proposed collective
21 bargaining agreement plus any fringe benefit savings, or unless the increased cost
22 required to maintain the percentage contribution by the municipal employer to the
23 municipal employees' existing fringe benefit costs and to maintain all fringe benefits
24 provided to the municipal employees, as determined under sub. (4) (cm) 8s., in

1 addition to the increased cost of providing such a salary increase, exceeds 3.8% of the
2 total compensation and fringe benefit costs for all municipal employees in the
3 collective bargaining unit for any 12-month period covered by the collective
4 bargaining agreement, in which case the offer shall include provision for a salary
5 increase for each such period for the municipal employees covered by the agreement
6 at least equivalent to an average of that percentage, if any, for each such period of
7 the prorated portion of 2.1% of the total compensation and fringe benefit costs for all
8 municipal employees in the collective bargaining unit plus any fringe benefit savings
9 that remains, if any, after the increased cost of such maintenance exceeding 1.7% of
10 the total compensation and fringe benefit costs for all municipal employees in the
11 collective bargaining unit for each 12-month period and the cost of a salary increase
12 of at least one full step for each municipal employee in the collective bargaining unit
13 who is eligible for a within range salary increase for each 12-month period is
14 subtracted from that total cost.”.

15 **1188.** Page 1093, line 2: after that line insert:

16 “**SECTION 2035m.** 111.70 (4) (cm) 5s. of the statutes is amended to read:

17 111.70 (4) (cm) 5s. ‘Issues subject to arbitration.’ In a collective bargaining unit
18 consisting of school district professional employees, the municipal employer or the
19 labor organization may petition the commission to determine whether the municipal
20 employer has submitted a qualified economic offer. The commission shall appoint an
21 investigator for that purpose. If the investigator finds that the municipal employer
22 has submitted a qualified economic offer, the investigator shall determine whether
23 a deadlock exists between the parties with respect to all economic issues. If the
24 municipal employer submits a qualified economic offer applicable to any period

1 beginning on or after July 1, 1993, no economic issues are subject to interest
2 arbitration under subd. 6. for that period, except that only the impact of contracting
3 out or subcontracting work that would otherwise be performed by municipal
4 employees in the collective bargaining unit is subject to interest arbitration under
5 subd. 6. In such a collective bargaining unit, economic issues concerning the wages,
6 hours or conditions of employment of the school district professional employees in the
7 unit for any period prior to July 1, 1993, are subject to interest arbitration under
8 subd. 6. for that period. In such a collective bargaining unit, noneconomic issues
9 applicable to any period on or after July 1, 1993, are subject to interest arbitration
10 after the parties have reached agreement and stipulate to agreement on all economic
11 issues concerning the wages, hours or conditions of employment of the school district
12 professional employees in the unit for that period. In such a collective bargaining
13 unit, if the commission's investigator finds that the municipal employer has
14 submitted a qualified economic offer and that a deadlock exists between the parties
15 with respect to all economic issues, the municipal employer may implement the
16 qualified economic offer. On the 90th day prior to expiration of the period included
17 within the qualified economic offer, if no agreement exists on that day, the parties are
18 deemed to have stipulated to the inclusion in a new or revised collective bargaining
19 agreement of all provisions of any predecessor collective bargaining agreement
20 concerning economic issues, or of all provisions of any existing collective bargaining
21 agreement concerning economic issues if the parties have reopened negotiations
22 under an existing agreement, as modified by the terms of the qualified economic offer
23 and as otherwise modified by the parties. In such a collective bargaining unit, on and
24 after that 90th day, a municipal employer that refuses to bargain collectively with
25 respect to the terms of that stipulation, applicable to the 90-day period prior to

1 expiration of the period included within the qualified economic offer, does not violate
2 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the
3 90-day period prior to expiration of the period included within a qualified economic
4 offer, operates as a full, final and complete settlement of all economic issues between
5 the parties for the period included within the qualified economic offer. The failure
6 of a labor organization to recognize the validity of such a lawful qualified economic
7 offer does not affect the obligation of the municipal employer to submit economic
8 issues to arbitration under subd. 6.”.

9 **1189.** Page 1094, line 22: after that line insert:

10 “**SECTION 2042m.** 115.28 (44) of the statutes is created to read:

11 115.28 **(44)** DIRECT INSTRUCTION PROGRAM. From the appropriation under s.
12 20.255 (1) (me), award a grant of \$280,000 annually in the 1999–2000, 2000–01,
13 2001–02 and 2002–03 fiscal years to the University of Wisconsin–Milwaukee to
14 conduct a direct instruction pilot program. The purpose of the program shall be to
15 determine the efficiency of direct instruction in improving the ability of children to
16 read. By August 1 of 2000, 2001, 2002 and 2003, the University of
17 Wisconsin–Milwaukee shall submit a report to the appropriate standing committees
18 of the legislature under s. 13.172, and to the state superintendent, that describes the
19 findings and conclusions of the study.”.

20 **1190.** Page 1094, line 22: after that line insert:

21 “**SECTION 2042m.** 115.28 (42) of the statutes is created to read:

22 115.28 (42) FOREIGN LANGUAGE INSTRUCTION GRANTS. Beginning in the 2000–01
23 fiscal year, award at least one grant in each fiscal year, on a competitive basis, to a
24 school board or board of control of a cooperative educational service agency for the

1 development and implementation of a foreign language instruction program in a
2 public school in grades kindergarten to 6. The department shall award the grants
3 from the appropriation under s. 20.255 (2) (fL). The department shall promulgate
4 rules to implement and administer this subsection.”.

5 **1191.** Page 1094, line 22: after that line insert:

6 “**SECTION 2042m.** 115.341 of the statutes is repealed and recreated to read:

7 **115.341 School breakfast program. (1)** From the appropriation under s.
8 20.255 (2) (cm), the state superintendent shall reimburse each school board 10 cents
9 for each breakfast served at a school that meets the requirements of 7 CFR 220.8 or
10 220.8a, whichever is applicable, and shall reimburse each governing body of a
11 private school 10 cents for each breakfast served at the private school that meets the
12 requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

13 **(2)** If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient
14 to pay the full amount of aid under this section, the state superintendent shall
15 prorate state aid payments among the school boards and governing bodies of private
16 schools entitled to the aid.”.

17 **1192.** Page 1094, line 22: after that line insert:

18 “**SECTION 2042g.** 115.31 (1) (b) of the statutes is amended to read:

19 115.31 **(1)** (b) “Educational agency” means a school district, cooperative
20 educational service agency, state correctional institution under s. 302.01, secured
21 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,
22 as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~
23 Wisconsin Center for the Blind and Visually Impaired, the ~~Wisconsin school~~ School
24 for the deaf Deaf, the Mendota mental health institute, the Winnebago mental health

1 institute, a state center for the developmentally disabled, a private school or a
2 private, nonprofit, nonsectarian agency under contract with a school board under s.
3 118.153 (3) (c).”.

4 **1193.** Page 1094, line 22: after that line insert:

5 “**SECTION 2042g.** 115.28 (43) of the statutes is created to read:

6 115.28 **(43)** SCHOOL SAFETY FUNDING. With the department of justice, seek and
7 apply for federal funds relating to school safety and reducing violence and disruption
8 in schools, including funds for alternative schools or programs. Each department
9 shall make a report by January 1, 2001, and January 1, 2003, of its progress in
10 applying for and obtaining funds under this subsection. The report shall be provided
11 to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons
12 of the joint committee on finance and to the governor.”.

13 **1194.** Page 1096, line 8: after that line insert:

14 “**SECTION 2048m.** 115.366 of the statutes is created to read:

15 **115.366 Alternative education grants. (1)** From the appropriation under
16 s. 20.255 (2) (cf), the department shall award grants to school districts and consortia
17 of school districts for alternative education programs, as defined by the department
18 by rule. The department shall encourage rural school districts and consortia of
19 school districts to apply for grants under this section.

20 **(2)** The department shall promulgate rules to implement and administer this
21 section.”.

22 **1195.** Page 1096, line 8: after that line insert:

23 “**SECTION 2047g.** 115.37 of the statutes is repealed and recreated to read:

1 **115.37 Blind and visual impairment education council. (1)** In this
2 section:

3 (a) “Council” means the blind and visual impairment education council.

4 (b) “Visually impaired” has the meaning given in s. 115.51 (4).

5 **(2)** The state superintendent shall seek the advice of and consult with the
6 council on issues related to persons who are visually impaired. The state
7 superintendent and the director of the Wisconsin Center for the Blind and Visually
8 Impaired, or their designees, shall attend meetings of the council.

9 **(3)** The council shall do all of the following:

10 (a) Meet at least twice each year.

11 (b) Advise the state superintendent on such statewide services, activities,
12 programs, investigations and research as in its judgment will benefit pupils who are
13 visually impaired.

14 (c) Make recommendations for the improvement of services provided by the
15 Wisconsin Center for the Blind and Visually Impaired.

16 (d) Review the level and quality of services available to pupils in the state who
17 are visually impaired and make recommendations about those services.

18 (e) Propose to the state superintendent ways to improve the preparation of
19 teachers and other staff who provide services to pupils who are visually impaired.

20 (f) Propose to the state superintendent ways to improve coordination between
21 the department and other agencies in providing services to persons who are visually
22 impaired.

23 **(4)** The council may initiate consultations with the department.

(5) The council shall have access to public files, public records and statistics kept in the department that relate to matters concerning children who are visually impaired.”.

1196. Page 1096, line 8: after that line insert:

“**SECTION 2048m.** 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1. and amended to read:

115.38 (1) (b) 1. Other indicators of school and school district performance, including dropout, attendance, retention in grade and graduation rates; ~~numbers of suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16 (1) (a); percentage of pupils participating in extracurricular and community activities and advanced placement courses; percentage of graduates enrolled in postsecondary educational programs; and percentage of graduates entering the workforce.

SECTION 2048t. 115.38 (1) (b) 2. of the statutes is created to read:

115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for which pupils are suspended or expelled, reported according to categories specified by the state superintendent; the length of time for which pupils are expelled, reported according to categories specified by the state superintendent; whether pupils return to school after their expulsion; the educational programs and services, if any, provided to pupils during their expulsions, reported according to categories specified by the state superintendent; the schools attended by pupils who are suspended or expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled and whether the pupils are children with disabilities, as defined in s. 115.76 (5).”.

1197. Page 1097, line 2: after that line insert:

“SECTION 2053m. 115.435 of the statutes is created to read:

115.435 Supplemental aid. (1) A school district that satisfies all of the following criteria may apply to the department by October 15 of each school year for a grant to supplement aid under s. 121.08.

(a) The school district had an enrollment in the previous school year of fewer than 500 pupils.

(b) The school district is at least 200 square miles in area.

(c) At least 65% of the real property in the school district is exempt from taxation under s. 70.11, owned by or held in trust for a federally recognized American Indian tribe or owned by the federal government.

(2) No later than June 30 of the current school year, the department shall, from the appropriation under s. 20.255 (2) (ad), pay each school district that satisfies the criteria under sub. (1) \$350 for each pupil enrolled in the school district in the previous school year. If the appropriation under s. 20.255 (2) (ad) is insufficient to pay the full amount under this subsection, the funds shall be prorated among the entitled school districts.

(3) The department shall promulgate rules to implement and administer this section.”.

1198. Page 1097, line 2: after that line insert:

“SECTION 2053b. Subchapter III (title) of chapter 115 [precedes 115.51] of the statutes is amended to read:

CHAPTER 115

SUBCHAPTER III

STATE SCHOOLS SCHOOL FOR THE

DEAF AND STATE CENTER FOR THE
BLIND AND VISUALLY IMPAIRED

SECTION 2053c. 115.51 (1) of the statutes is repealed.

SECTION 2053d. 115.51 (3) and (4) of the statutes are created to read:

115.51 **(3)** “Local educational agency” has the meaning given in s. 115.76 (10).

(4) “Visually impaired” means loss of vision or blindness as described in the rule promulgated by the state superintendent to define “visual impairments” for the purposes of s. 115.76 (5) (a) 4.

SECTION 2053f. 115.52 of the statutes is amended to read:

115.52 Wisconsin schools School for the visually handicapped and the deaf Deaf. **(1)** The object of the Wisconsin school for the visually handicapped and the Wisconsin school School for the deaf Deaf is to afford persons with visual impairments and persons with hearing impairments a practical education and physical rehabilitation which may aid them to make a living, discharge their duties as citizens and secure to them all possible happiness.

(2) The state superintendent shall maintain and govern the school for the visually handicapped and the school School for the deaf Deaf. The state superintendent may fix the period of the school year at the schools school at not less than 38 weeks, prescribe the school terms and confer diplomas upon meritorious pupils who have completed the prescribed curricula.

(3) All the blind and the deaf residents of this state 6 to 20 years old, and for the duration of a school term all the blind or deaf residents of this state who become 21 years old during that school term, who are capable of receiving instruction shall be received and taught in the schools School for the Deaf free of charge. Like nonresident pupils also may be received upon payment in advance of the fees fixed

1 by the state superintendent at an amount not less than \$75 per month, but no
2 nonresident shall be received to the exclusion of a resident pupil. The state
3 superintendent also may admit pupils who are 21 years of age or older prior to the
4 beginning of a school term upon the payment of fees fixed by the superintendent and
5 upon the recommendation of the secretary of health and family services, the director
6 of the technical college system or the superintendent of the school to which the pupil
7 will be assigned School for the Deaf. All pupils shall equally and freely enjoy the
8 benefits and privileges of the schools school and have the use of the library and books
9 of instruction and receive board, lodging and laundry, without discrimination. The
10 schools school may provide transportation for resident pupils.

11 (5) The state superintendent may grant approval for the maintenance of a
12 summer school at the school School for the deaf Deaf whenever it will be to the
13 advantage of persons with hearing impairments and may grant approval for the
14 maintenance of a summer school at the school for the visually handicapped whenever
15 it will be to the advantage of children with visual impairments. There shall be a
16 summer school each year at the school for the visually handicapped for adults with
17 visual impairments.

18 (6) The state superintendent may make charges for meals, living quarters,
19 laundry and other services furnished to employes of the schools School for the Deaf
20 and their families. The state superintendent also may make charges for services
21 furnished to visitors at the schools school and participants in training programs and
22 institutes.

23 (7) The Wisconsin school School for the deaf Deaf may provide instruction for
24 preschool children with hearing impairments and their parents. The Wisconsin
25 school for the visually handicapped may provide instruction for preschool children

1 ~~with visual impairments and their parents.~~ Such instruction or treatment shall be
2 subject to the approval of, and shall comply with requirements established by, the
3 department.

4 **SECTION 2053h.** 115.525 of the statutes is created to read:

5 **115.525 Wisconsin Center for the Blind and Visually Impaired. (1)**

6 DEFINITION. In this section, “center” means the Wisconsin Center for the Blind and
7 Visually Impaired.

8 **(1m) PURPOSE.** The purpose of the center is to serve as a statewide educational
9 resource relating to visual impairments to benefit all Wisconsin children who are
10 visually impaired.

11 **(2) GOVERNANCE.** The state superintendent shall maintain and govern the
12 center. The state superintendent shall appoint an individual who has training and
13 experience in educating pupils who are visually impaired to serve as the director of
14 the center.

15 **(3) SERVICES.** The center shall provide services that benefit children
16 throughout the state who are visually impaired.

17 (a) *School.* 1. ‘Residents 3 to 20 years old.’ The center shall operate a school
18 at which any resident of this state 3 to 20 years old who is visually impaired, and for
19 the duration of a school term any resident of this state who is visually impaired and
20 becomes 21 years old during that school term, shall be received and taught free of
21 charge if the individualized education program for the resident under s. 115.787 and
22 the educational placement under s. 115.79 specify the school operated by the center
23 as the appropriate placement.

24 2. ‘Residents 21 years old or older.’ The state superintendent may admit to the
25 school operated by the center a resident of the state who is visually impaired and is

1 21 years of age or older prior to the beginning of a school term upon the payment of
2 fees fixed by the state superintendent and upon the recommendation of the secretary
3 of health and family services, the director of the technical college system or the
4 director of the center.

5 3. 'Nonresidents.' A nonresident of this state, who is visually impaired, who
6 either is 3 to 20 years old or becomes 21 years old during a school term, whose
7 individualized education program under 20 USC 1414 (d) and educational placement
8 specify the school operated by the center as the appropriate placement and who is
9 capable of receiving instruction may be received at the school upon payment in
10 advance of the fees fixed by the state superintendent, but no nonresident may be
11 received to the exclusion of a resident pupil.

12 4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director
13 of the center shall make the residential facilities at the center available to all pupils
14 received at the school operated by the center.

15 5. 'School term.' The state superintendent shall fix the period of the school term
16 at the school operated by the center at not less than 38 weeks, prescribe the school
17 sessions and confer diplomas upon meritorious pupils who have completed the
18 prescribed curriculum. Pursuant to a pupil's individualized education program
19 under s. 115.787, a pupil may be placed at the school for less than a school term.

20 6. 'Transportation.' The center may provide transportation for resident pupils
21 at the school operated by the center.

22 (b) *Other statewide services.* The center may do any of the following:

23 1. Provide testing, evaluation and assessment services to assist local
24 educational agencies, cooperative educational service agencies and county children
25 with disabilities education boards.

2. Provide technical assistance and consultation services to entities such as local educational agencies, cooperative educational service agencies, county children with disabilities education boards and private schools.

3. Develop and disseminate curriculum and instructional materials.

4. Provide in service and other training to teachers and other staff serving pupils who are visually impaired.

5. Provide training, technical assistance and consultation services for parents of children who are visually impaired and for professionals who work with children who are visually impaired.

6. Provide materials in braille, large print and other appropriate formats to children who are visually impaired.

7. Train teachers and braillists about braille codes and formats used by individuals who are visually impaired.

8. Loan books and other materials from the library described in par. (c) 2.

9. Serve as a clearinghouse for information about children who are visually impaired, including information related to library resources, adapted materials and current research.

10. Assist in providing assistive technology services, as defined in s. 115.76 (2), for pupils who are visually impaired.

11. Lend, rent or lease technological materials and assistive technology devices, as defined in s. 115.76 (1), to local educational agencies, cooperative educational service agencies and county children with disabilities education boards.

12. Facilitate the preparation of teachers of pupils who are visually impaired by providing assistance to teacher preparation programs.

1 13. Coordinate and collaborate with public and private agencies and
2 organizations that provide services to individuals who are visually impaired,
3 including the development of employment skills and opportunities.

4 14. Provide other statewide services that relate to the education of children who
5 are visually impaired.

6 (c) *Additional services.* 1. ‘Birth to 2 services.’ The center may provide
7 instruction or services, or both, for children who are under the age of 2 and are
8 visually impaired and their parents. The instruction or services are subject to the
9 approval of, and shall comply with requirements established by, the department.

10 2. ‘Library.’ Embossed, clear type or large type books acquired by the center
11 constitute a circulating collection for persons who are visually impaired. The
12 collection shall be kept at the center and be under the supervision of its director. All
13 school age children of the state who are visually impaired may use such books upon
14 compliance with criteria established by the director of the center and approved by
15 the state superintendent.

16 3. ‘Summer programs.’ The center shall provide summer programs each year
17 for children who are visually impaired.

18 4. ‘Adult summer program.’ The center shall provide a summer program each
19 year for adults who are visually impaired. The state superintendent may contract
20 with other entities to provide this program.

21 5. ‘Independent living skills.’ With the approval of the state superintendent,
22 the center may use state–owned housing on the grounds of the center in Janesville
23 as a facility in which individuals receive instruction in and practice independent
24 living skills.

1 (d) *Provision of services.* In addition to providing services at the center's facility
2 in Janesville, the center may provide services at any location in the state and may
3 operate regional satellite facilities throughout the state to provide services.

4 **(4) NONDISCRIMINATION.** All pupils at the center may equally and freely enjoy
5 the benefits and privileges of the center, have the use of the library and books of
6 instruction and receive board, lodging and laundry, without discrimination, except
7 that the director of the center may determine that board, lodging and laundry may
8 not be provided to an individual because appropriate services are not available for
9 that individual at the center's residential facilities.

10 **(5) CHARGES.** The state superintendent may charge for meals, living quarters,
11 laundry and other services furnished to employees of the center and their families.
12 The state superintendent may charge for services furnished to visitors at the center
13 and participants in training programs and institutes.

14 **(6) LEASING OF SPACE.** The state superintendent may lease space at the center
15 in Janesville that is not required by the center to any person if the state
16 superintendent determines that the use will not be inconsistent with the operation
17 of the center.

18 **(7) AUDIT.** In the 2002–03 fiscal year, the legislative audit bureau shall perform
19 a performance evaluation audit of the center. The bureau shall submit copies of the
20 audit report to the chief clerk of each house of the legislature for distribution to the
21 appropriate standing committees under s. 13.172 (3) by June 30, 2003.

22 **SECTION 2053j.** 115.53 (2) of the statutes is amended to read:

23 **115.53 (2)** Arrange for vocational, trade or academic training for any pupil in
24 either state school the school operated by the Wisconsin Center for the Blind and
25 Visually Impaired or the Wisconsin School for the Deaf qualified to take such

1 training advantageously, in either a public school or technical college or a private
2 business establishment in Janesville or Delavan. The public school and the technical
3 college shall be paid the regular tuition for full-time attendance and proportionally
4 for part-time attendance by the school district responsible for the provision of a free
5 appropriate public education under subch. V.

6 **SECTION 2053k.** 115.53 (3) of the statutes is renumbered 115.53 (3) (a) and
7 amended to read:

8 115.53 **(3)** (a) Arrange for otological or ophthalmic examination of any pupil or
9 prospective pupil of the schools Wisconsin School for the Deaf. The examination shall
10 be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

11 **SECTION 2053L.** 115.53 (3) (b) of the statutes is created to read:

12 115.53 **(3)** (b) Arrange for ophthalmic or otological examination of any pupil or
13 prospective pupil of the school operated by the Wisconsin Center for the Blind and
14 Visually Impaired. The examination shall be paid from the appropriation in s. 20.255
15 (1) (b), (gh), (gL) or (gs).

16 **SECTION 2053m.** 115.53 (4) and (5) of the statutes are amended to read:

17 115.53 **(4)** Apply to the board of directors of the University of Wisconsin
18 Hospitals and Clinics Authority for admission to the University of Wisconsin
19 Hospitals and Clinics of any pupil in at the state schools Wisconsin School for the
20 Deaf or the school operated by the Wisconsin Center for the Blind and Visually
21 Impaired.

22 (a) The application shall be accompanied by the report of a physician appointed
23 by the appropriate school superintendent of the Wisconsin School for the Deaf or the
24 director of the Wisconsin Center for the Blind and Visually Impaired and shall be in

1 the same form as reports of other physicians for admission of patients to such
2 hospital.

3 (b) The net cost of hospital treatment shall be at the rate established under s.
4 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the~~
5 ~~patient's school~~ under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the
6 Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh),
7 (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center
8 for the Blind and Visually Impaired. The state superintendent likewise may
9 authorize payment for the expense of transporting patients to and from the hospital.
10 The state superintendent shall make payments for the treatment to the University
11 of Wisconsin Hospitals and Clinics Authority. Funds collected by the state
12 superintendent on account of the hospitalization shall be ~~deposited in~~ credited to the
13 appropriation under s. 20.255 (1) ~~(b)~~ (gh) for the school or center concerned.

14 (5) Arrange for visits by members of the staff of either school the Wisconsin
15 School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to
16 other public schools or to families of ~~blind or deaf children~~ or children who are
17 visually impaired, whenever it appears to the state superintendent that such visits
18 will be of advantage to ~~blind or deaf~~ such children.

19 **SECTION 2053p.** 115.54 of the statutes is amended to read:

20 **115.54 Compulsory education.** If it appears, by affidavit, to any circuit
21 judge that any ~~blind or deaf child~~ or child who is visually impaired between the ages
22 of 6 and 21 is deprived of a suitable education by the failure of the person having the
23 care and custody of the child to provide a suitable education, the judge shall order
24 the person to bring the child before the judge. If the material allegations of the
25 affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the

1 allegations are admitted or established, the judge may order the child sent to the
2 school Wisconsin School for the visually handicapped or for the deaf Deaf, the school
3 operated by the Wisconsin Center for the Blind and Visually Impaired or to some
4 class or other school for instruction, but the order shall may not make a direct charge
5 for the class or school against any county.

6 **SECTION 2053q.** 115.55 of the statutes is repealed.

7 **SECTION 2053r.** 115.58 of the statutes is amended to read:

8 **115.58 Park grounds.** The state superintendent may permit the city of
9 Janesville to use portions of the grounds of the ~~state school for the visually~~
10 ~~handicapped~~ Wisconsin Center for the Blind and Visually Impaired at Janesville,
11 which abut on the Rock river, for purposes of operating a city park. Any construction
12 on such grounds is subject to prior approval by the state superintendent. Any
13 agreement pursuant hereto shall be cancelable at the option of either party without
14 liability. Any such grounds so used by the city of Janesville shall be supervised by
15 the city and shall be subject to the ordinances of the city of Janesville applicable to
16 city parks.”.

17 **1199.** Page 1097, line 14: delete “An” and substitute “**(1)** Except as provided
18 in sub. (2), an”.

19 **1200.** Page 1097, line 16: after that line insert:

20 “**(2)** The board of directors of the school district operating under ch. 119 is a
21 local educational agency under this section and shall comply with 20 USC 1400 to
22 1491o if the board of directors enters into an agreement with an operator of a charter
23 school under s. 118.40 (2r) under which the board of directors agrees to serve as the
24 local educational agency.”.

1 **1201.** Page 1102, line 25: after that line insert:

2 “**SECTION 2067d.** 118.125 (4) of the statutes is amended to read:

3 118.125 **(4)** TRANSFER OF RECORDS. Within 5 working days, a school district shall
4 transfer to another school or school district all pupil records relating to a specific
5 pupil if the transferring school district has received written notice from the pupil if
6 he or she is an adult or his or her parent or guardian if the pupil is a minor that the
7 pupil intends to enroll in the other school or school district or written notice from the
8 other school or school district that the pupil has enrolled or from a court that the pupil
9 has been placed in a juvenile secured correctional facility ~~or, as defined in s. 938.02~~
10 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured
11 group home, as defined in s. 938.02 (15p). In this subsection, “school” and “school
12 district” include any juvenile secured correctional facility, secured child caring
13 institution ~~as defined in s. 938.02 (15g),~~ secured group home, adult correctional
14 institution, mental health institute or center for the developmentally disabled, that
15 provides an educational program for its residents instead of or in addition to that
16 which is provided by public and private schools.”.

17 **1202.** Page 1102, line 25: after that line insert:

18 “**SECTION 2066m.** 118.045 of the statutes is created to read:

19 **118.045 Commencement of school term. (1)** Except as provided in subs.
20 (2) and (3), beginning in the year 2000, no public school may commence the school
21 term until September 1.

22 **(2)** Subsection (1) does not prohibit a school board from doing any of the
23 following:

24 (a) Holding athletic contests or practices before September 1.

1 (b) Scheduling in-service days or work days before September 1.

2 (c) Holding school year-round.

3 **(3)** A school board may commence the school term before September 1 in any
4 school year if it holds a public hearing on the issue and adopts a resolution to that
5 effect in that school year.”.

6 **1203.** Page 1103, line 16: after that line insert:

7 “**SECTION 2068m.** 118.16 (1m) of the statutes is created to read:

8 118.16 **(1m)** The period during which a pupil is absent from school due to a
9 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
10 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
11 for the purposes of sub. (1) (c).

12 **SECTION 2068r.** 118.175 of the statutes is created to read:

13 **118.175 Pupils without parents or guardians; report required. (1)** This
14 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)
15 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)
16 (a).

17 **(2)** If a pupil is a child who is without a parent or guardian, any school teacher,
18 school administrator, school counselor or school social worker who knows that the
19 child is without a parent or guardian shall report that fact as soon as possible to the
20 county department under s. 46.22 or 46.23 or, in a county having a population of
21 500,000 or more, to the department of health and family services.”.

22 **1204.** Page 1103, line 16: after that line insert:

23 “**SECTION 2069m.** 118.19 (1s) of the statutes is created to read:

1 118.19 **(1s)** (a) Notwithstanding subs. (1m) and (1r), if an applicant does not
2 have a social security number, the applicant, as a condition of applying for, or
3 applying to renew or revalidate, a license under this section shall submit a statement
4 made or subscribed under oath or affirmation to the department that the applicant
5 does not have a social security number.

6 (b) The teaching license of a person who submits a false statement under par.
7 (a) is invalid.”.

8 **1205.** Page 1103, line 16: after that line insert:

9 “**SECTION 2068m.** 118.245 (3) of the statutes is amended to read:

10 118.245 **(3)** No school district may provide to its nonrepresented professional
11 employees for any 12–month period ending on June 30 an average increase for all such
12 employees in the total cost to the school district of compensation and fringe benefits
13 for such employees having an average cost per employee exceeding 3.8% of the average
14 total cost per employee of compensation and fringe benefits provided by the school
15 district to its nonrepresented professional employees for the preceding 12–month
16 period ending on June 30 or the average total percentage increased cost per employee
17 of compensation and fringe benefits provided to its represented professional
18 employees during the 12–month period ending on June 30 preceding the date that the
19 increase becomes effective, whichever is greater. ~~In this subsection, the cost of~~
20 ~~compensation includes the cost of any increase in compensation due to a promotion~~
21 ~~or the attainment of increased professional qualifications.~~ For purposes of this
22 subsection, the average total percentage increased cost per employee of the
23 compensation provided by a school district to its represented professional employees

1 shall be determined in accordance with the method prescribed by the employment
2 relations commission under s. 111.70 (4) (cm) 8s.”.

3 **1206.** Page 1104, line 6: delete lines 6 and 7 and substitute:

4 “SECTION 2071s. 118.30 (1) (b) of the statutes is amended to read:

5 118.30 (1) (b) ~~If the governor has issued pupil academic standards as an~~
6 ~~executive order under s. 14.23, the~~ The department shall develop a high school
7 graduation examination that is designed to measure whether pupils meet the pupil
8 academic standards issued by the governor as executive order no. 326, dated January
9 13, 1998.”.

10 **1207.** Page 1104, line 16: delete that line and substitute:

11 “SECTION 2074n. 118.30 (1g) (b) of the statutes is amended to read:

12 118.30 (1g) (b) Each school board operating high school grades and each
13 operator of a charter school under s. 118.40 (2r) that operates high school grades shall
14 adopt a high school graduation examination that is designed to measure whether
15 pupils meet the pupil academic standards adopted by the school board or operator
16 of the charter school under par. (a). If the school board or operator of the charter
17 school has adopted the pupil academic standards issued as ~~an~~ executive order under
18 ~~s. 14.23~~ no. 326, dated January 13, 1998, the school board or operator of the charter
19 school may adopt the high school graduation examination developed by the
20 department under sub. (1) (b). If a school board or operator of a charter school
21 develops and adopts its own high school graduation examination, it shall notify the
22 department annually by October 1 that it intends to administer the examination in
23 the following school year.”.

24 **1208.** Page 1106, line 11: delete that line and substitute:

1 **“SECTION 2078n.** 118.30 (1m) (d) of the statutes is amended to read:

2 118.30 **(1m)** (d) If the school board operates high school grades, beginning in
3 the 2000–01 2002–03 school year administer the high school graduation
4 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
5 the school district, including pupils enrolled in charter schools located in the school
6 district, in the 11th and 12th grades. The school board shall administer the
7 examination at least twice each school year. ~~The school board shall determine the~~
8 ~~high school grades in which the examination will be administered each school year~~
9 and may administer the examination only to pupils enrolled in the 11th and 12th
10 grades.”.

11 **1209.** Page 1107, line 13: after that line insert:

12 “(d) If the charter school operates high school grades, beginning in the 2002–03
13 school year, administer the high school graduation examination adopted by the
14 operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and
15 12th grades in the charter school. The operator of the charter school shall administer
16 the examination at least twice each school year and may administer the examination
17 only to pupils enrolled in the 11th and 12th grades.”.

18 **1210.** Page 1108, line 3: delete “(a), (am) or (b)”.

19 **1211.** Page 1108, line 7: delete “(a), (am) or (b)”.

20 **1212.** Page 1108, line 7: after that line insert:

21 **“SECTION 2082j.** 118.30 (2) (e) of the statutes is created to read:

22 118.30 **(2)** (e) A pupil’s score on the examination administered under sub. (1m)
23 (d) or (1r) (d) shall be recorded on the pupil’s transcript.”.

24 **1213.** Page 1108, line 21: after that line insert:

1 **“SECTION 2086h.** 118.33 (1) (f) of the statutes is created to read:

2 118.33 **(1)** (f) 1. By September 1, 2002, each school board operating high school
3 grades shall develop a written policy specifying criteria for granting a high school
4 diploma that are in addition to the requirements under par. (a). The criteria shall
5 include the pupil’s score on the examination administered under s. 118.30 (1g) (d),
6 the pupil’s academic performance, the recommendations of teachers and any other
7 criteria specified by the school board. Except as provided in subd. 2., the criteria
8 apply to pupils enrolled in charter schools located in the school district.

9 2. By September 1, 2002, each operator of a charter school under s. 118.40 (2r)
10 that operates high school grades shall develop a policy specifying criteria for
11 granting a high school diploma. The criteria shall include the pupil’s score on the
12 examination administered under s. 118.30 (1r) (d), the pupil’s academic
13 performance, the recommendations of teachers and any other criteria specified by
14 the operator of the charter school.

15 3. Beginning September 1, 2003, neither a school board nor an operator of a
16 charter school under s. 118.40 (2r) may grant a high school diploma to any pupil
17 unless the pupil has satisfied the criteria specified in the school board’s or charter
18 school’s policy under subd. 1. or 2.”.

19 **1214.** Page 1109, line 2: delete the material beginning with “, the” and ending
20 with “other” on line 3 and substitute “; the pupil’s academic performance; the
21 recommendations of teachers, which shall be based solely on the pupil’s academic
22 performance; and any other academic”.

23 **1215.** Page 1109, line 17: delete the material beginning with “, the” and
24 ending with “other” on line 19 and substitute “; the pupil’s academic performance; the

1 recommendations of teachers, which shall be based solely on the pupil's academic
2 performance; and any other academic”.

3 **1216.** Page 1110, line 18: delete the material beginning with that line and
4 ending with page 1111, line 7.

5 **1217.** Page 1111, line 15: after “paid” insert “per pupil”.

6 **1218.** Page 1111, line 23: delete the material beginning with that line and
7 ending with page 1112, line 7.

8 **1219.** Page 1115, line 18: delete the material beginning with that line and
9 ending with page 1116, line 12, and substitute:

10 “**SECTION 2107b.** 118.43 (6) (b) 6., 7. and 8. of the statutes are created to read:

11 118.43 **(6)** (b) 6. In the 2000–01 school year, \$2,000 multiplied by the number
12 of low–income pupils enrolled in grades eligible for funding in each school in the
13 school district covered by contracts under sub. (3) (a) and (am). After making these
14 payments, the department shall pay school districts on behalf of schools that are
15 covered by contracts under sub. (3) (ar) an amount equal to \$2,000 multiplied by the
16 number of low–income pupils enrolled in grades eligible for funding in each school
17 in the school district covered by contracts under sub. (3) (ar). In making these
18 payments, the department shall give priority to schools that have the highest
19 percentage of low–income pupil enrollment and shall also ensure that it fully
20 distributes the amount appropriated.

21 7. In the 2001–02 and 2002–03 school years, \$2,000 multiplied by the number
22 of low–income pupils enrolled in grades eligible for funding in each school in the
23 school district covered by contracts under sub. (3) (am). After making these
24 payments, the department shall pay school districts on behalf of schools that are

1 covered by contracts under sub. (3) (ar), an amount equal to \$2,000 multiplied by the
2 number of low-income pupils enrolled in grades eligible for funding in each school
3 in the school district covered by contracts under sub. (3) (ar).

4 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied by the number
5 of low-income pupils enrolled in grades eligible for funding in each school in the
6 school district covered by contracts under sub. (3) (ar).

7 **SECTION 2107c.** 118.43 (6m) of the statutes is created to read:

8 118.43 (6m) RULES. The department shall promulgate rules to implement and
9 administer the payment of state aid under sub. (6).”.

10 **1220.** Page 1116, line 12: after that line insert:

11 “**SECTION 2107d.** 118.43 (8) of the statutes is created to read:

12 118.43 (8) STATE AID FOR DEBT SERVICE. (a) Beginning in the 2000–01 school year,
13 a school district is eligible for aid under this subsection if it applies to the department
14 for approval of the amount of bonds specified in the copy of the resolution under 1999
15 Wisconsin Act (this act), section 9139 (2d). If the department approves the
16 amount before June 30, 2001, the department shall, from the appropriation under
17 s. 20.255 (2) (cs), pay each school district that issues bonds pursuant to a referendum
18 under 1999 Wisconsin Act (this act), section 9139 (2d), an amount equal to 20%
19 of the annual debt service cost on the bonds. This subsection does not apply to the
20 school district operating under ch. 119.

21 (b) The department shall promulgate rules to implement and administer this
22 subsection.”.

23 **1221.** Page 1117, line 12: after that line insert:

1 **“SECTION 2109c.** 119.23 (1) of the statutes is renumbered 119.23 (1) (intro.) and
2 amended to read:

3 119.23 **(1)** (intro.) In this section, ~~“membership”~~:

4 (a) “Membership” has the meaning given in s. 121.004 (5).

5 **SECTION 2109g.** 119.23 (1) (b) and (c) of the statutes are created to read:

6 119.23 **(1)** (b) “Summer average daily membership equivalent” has the
7 meaning given in s. 121.004 (8).

8 (c) “Summer choice average daily membership equivalent” means the summer
9 average daily membership equivalent of pupils who were attending a private school
10 under this section on the 2nd Friday of January of the school term immediately
11 preceding that summer or whose applications have been accepted under sub. (3) for
12 attendance at the private school in the school term immediately following that
13 summer.”.

14 **1222.** Page 1117, line 12: after that line insert:

15 **“SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

16 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
17 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
18 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
19 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
20 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30
21 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1),
22 (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are
23 applicable to a 1st class city school district and board.”.

24 **1223.** Page 1117, line 12: after that line insert:

1 **“SECTION 2108g.** 119.16 (3) (b) of the statutes is amended to read:

2 119.16 **(3) (b)** Schoolhouses Except as provided in par. (c), schoolhouses and the
3 sites on which they are situated shall be the property of the city, ~~but no.~~ No site may
4 be purchased or leased and no schoolhouse may be constructed unless a resolution
5 therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of
6 conveyance and leases shall be made to the city.

7 **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

8 119.16 **(3) (c)** If the redevelopment authority of the city issues bonds under s.
9 66.431 (5r), the board may lease buildings or sites from the redevelopment authority
10 or borrow money from the redevelopment authority for the purposes of par. (a).

11 **SECTION 2108s.** 119.16 (10) of the statutes is created to read:

12 119.16 **(10)** PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a
13 public hearing in each attendance district in which a new school that is financed with
14 bond proceeds under s. 66.431 (5r) is to be constructed.”.

15 **1224.** Page 1117, line 14: delete “a total” and substitute “a an average total”.

16 **1225.** Page 1117, line 15: before “that” insert “over a 4-year period”.

17 **1226.** Page 1117, line 17: delete the material beginning with “The” and
18 ending with “section.” on line 19.

19 **1227.** Page 1117, line 20: before “(intro.)” insert “(b)”.

20 **1228.** Page 1117, line 22: after “(4)” insert “(b)”.

21 **1229.** Page 1117, line 23: after “school” insert “during a school term”.

1 **1230.** Page 1118, line 1: delete lines 1 to 14 and substitute “to the total
2 amount to which the school district is entitled under s. 121.08 divided by the school
3 district membership, or an lesser of the following:

4 1. The amount equal to the private school’s operating and debt service cost per
5 pupil that is related to educational programming, as determined by the department,
6 whichever is less.

7 (c) The state superintendent shall pay 25% of the total amount under par. (b)
8 in September, 25% in November, 25% in February and 25% in May. The state
9 superintendent may include the entire amount under sub. (4m) in one of those
10 instalments or apportion the entire amount among one or more of those instalments.

11 The department shall send the check to the private school. The parent or guardian
12 shall restrictively endorse the check for the use of the private school.

13 **SECTION 2109s.** 119.23 (4) (b) 2. of the statutes is created to read:

14 119.23 (4) (b) 2. The sum of the amount paid per pupil under this subsection
15 in the previous school year and the amount of revenue increase per pupil allowed
16 under subch. VII of ch. 121 in the current school year.”.

17 **1231.** Page 1118, line 11: after that line insert:

18 **“SECTION 2109q.** 119.23 (4) (a) of the statutes is created to read:

19 119.23 (4) (a) Annually, on or before October 15, a private school participating
20 in the program under this section shall file with the department a report stating its
21 summer average daily membership equivalent and its summer choice average daily
22 membership equivalent for the purpose of sub. (4m).”.

23 **1232.** Page 1118, line 14: after that line insert:

24 **“SECTION 2109s.** 119.23 (4m) of the statutes is created to read:

1 119.23 **(4m)** Beginning in the 1999–2000 school year, in addition to the
2 payment under sub. (4) the state superintendent shall pay to the parent or guardian
3 of each pupil enrolled in a private school under this section, in the manner described
4 in sub. (4) (c), an amount determined by multiplying the payment under sub. (4) by
5 the quotient determined by dividing the summer choice average daily membership
6 equivalent of the private school by the total number of pupils for whom payments are
7 being made under sub. (4).”.

8 **1233.** Page 1121, line 18: after that line insert:

9 “**SECTION 2124m.** 120.12 (26) of the statutes is created to read:

10 120.12 **(26)** SCHOOL SAFETY PLANS. Have in effect a school safety plan for each
11 school in the school district.

12 **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

13 120.13 **(1)** (b) The school district administrator or any principal or teacher
14 designated by the school district administrator also may make rules, with the
15 consent of the school board, and may suspend a pupil for not more than 5 school days
16 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25
17 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with
18 such rules or school board rules, or for knowingly conveying any threat or false
19 information concerning an attempt or alleged attempt being made or to be made to
20 destroy any school property by means of explosives, for conduct by the pupil while
21 at school or while under the supervision of a school authority which endangers the
22 property, health or safety of others, or for conduct while not at school or while not
23 under the supervision of a school authority which endangers the property, health or
24 safety of others at school or under the supervision of a school authority or endangers

1 the property, health or safety of any employee or school board member of the school
2 district in which the pupil is enrolled. In this paragraph, conduct that endangers a
3 person or property includes making a threat to the health or safety of a person or
4 making a threat to damage property. Prior to any suspension, the pupil shall be
5 advised of the reason for the proposed suspension. The pupil may be suspended if
6 it is determined that the pupil is guilty of noncompliance with such rule, or of the
7 conduct charged, and that the pupil's suspension is reasonably justified. The parent
8 or guardian of a suspended minor pupil shall be given prompt notice of the
9 suspension and the reason for the suspension. The suspended pupil or the pupil's
10 parent or guardian may, within 5 school days following the commencement of the
11 suspension, have a conference with the school district administrator or his or her
12 designee who shall be someone other than a principal, administrator or teacher in
13 the suspended pupil's school. If the school district administrator or his or her
14 designee finds that the pupil was suspended unfairly or unjustly, or that the
15 suspension was inappropriate, given the nature of the alleged offense, or that the
16 pupil suffered undue consequences or penalties as a result of the suspension,
17 reference to the suspension on the pupil's school record shall be expunged. Such
18 finding shall be made within 15 days of the conference. A pupil suspended under this
19 paragraph shall not be denied the opportunity to take any quarterly, semester or
20 grading period examinations or to complete course work missed during the
21 suspension period, as provided in the attendance policy established under s. 118.16
22 (4) (a).

23 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

24 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
25 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a

1 pupil knowingly conveyed or caused to be conveyed any threat or false information
2 concerning an attempt or alleged attempt being made or to be made to destroy any
3 school property by means of explosives, or finds that the pupil engaged in conduct
4 while at school or while under the supervision of a school authority which
5 endangered the property, health or safety of others, or finds that a pupil while not
6 at school or while not under the supervision of a school authority engaged in conduct
7 which endangered the property, health or safety of others at school or under the
8 supervision of a school authority or endangered the property, health or safety of any
9 employe or school board member of the school district in which the pupil is enrolled,
10 and is satisfied that the interest of the school demands the pupil's expulsion. In this
11 subdivision, conduct that endangers a person or property includes making a threat
12 to the health or safety of a person or making a threat to damage property."

13 **1234.** Page 1121, line 18: after that line insert:

14 "SECTION **2124m.** 120.13 (14) of the statutes is amended to read:

15 120.13 **(14)** DAY CARE PROGRAMS. Establish and provide or contract for the
16 provision of day care programs for children. The school board may receive federal
17 or state funds for this purpose. The school board may charge a fee for all or part of
18 the cost of the service for participation in a day care program established under this
19 subsection. Costs associated with a day care program under this subsection may not
20 be included in shared costs under s. 121.07 (6). Day care programs established under
21 this subsection shall meet the standards for licensed day care centers established by
22 the department of health and family services. If a school board proposes to contract
23 for or renew a contract for the provision of a day care program under this subsection
24 or if on July 1, 1996, a school board is a party to a contract for the provision of a day

1 care program under this subsection, the school board shall refer the contractor or
2 proposed contractor to the department of health and family services for the criminal
3 history and child abuse record search required under s. 48.685. Each school board
4 shall provide the department of health and family services with information about
5 each person who is denied a contract for a reason specified in s. 48.685 ~~(2)~~ (4m) (a)
6 1. to 5.”.

7 **1235.** Page 1121, line 18: after that line insert:

8 “**SECTION 2124r.** 120.13 (2) (g) of the statutes is amended to read:

9 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
10 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
11 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896, and 767.25
12 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b) 4.~~”.

13 **1236.** Page 1122, line 11: after that line insert:

14 “**SECTION 2126m.** 120.135 of the statutes is created to read:

15 **120.135 Capital improvement fund. (1)** By the first day of the 6th month
16 commencing after the effective date of this subsection [revisor inserts date], by a
17 two-thirds vote of the members elect, a school board may adopt a resolution creating
18 a capital improvement fund for the purpose of financing the cost of acquiring and
19 improving sites, constructing school facilities and major maintenance of or
20 remodeling, renovating and improving school facilities.

21 **(2)** If a tax incremental district that is located in whole or in part in the school
22 district is terminated before the maximum number of years that the tax incremental
23 district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the
24 school board adopts a resolution by a two-thirds vote of the members elect expressing

1 its intention to do so until the year after the year in which the tax incremental district
2 would have been required to terminate under s. 66.46 (7) (am) or (ar), the school
3 board shall deposit into the capital improvement fund the percentage specified in the
4 resolution of the school district's portion of the positive tax increment of the tax
5 incremental district in that year, as determined by the department of revenue under
6 s. 66.46. If the value increment is less than \$300,000,000, the percentage specified
7 in the resolution may not exceed 66.7%.

8 (3) The school board shall use the balance of the school district's portion of the
9 positive tax increment of the tax incremental district to reduce the levy that
10 otherwise would be imposed.

11 (4) Money in the capital improvement fund may not be used for any purpose
12 or be transferred to any other fund without the approval of a majority of the electors
13 of the school district voting on the question at a referendum.

14 (5) The school board shall submit a report by January 1 of each odd-numbered
15 year to the governor and the joint committee on finance describing the use of the
16 moneys deposited into the fund under sub. (1) and the effects of that use.”.

17 **1237.** Page 1122, line 21: substitute “0.75” for “0.5”.

18 **1238.** Page 1122, line 22: substitute “0.75” for “0.5”.

19 **1239.** Page 1122, line 22: after that line insert:

20 “SECTION 2128m. 121.02 (1) (L) 5. of the statutes is repealed.”.

21 **1240.** Page 1122, line 22: after that line insert:

22 “SECTION 2128m. 121.004 (8) of the statutes is amended to read:

23 121.004 (8) SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT. “Summer average
24 daily membership equivalent” is the ~~sum of all~~ total number of minutes in which

1 pupils are enrolled in academic summer classroom classes or laboratory periods in
2 ~~which each pupil is enrolled as determined by multiplying the total number of~~
3 ~~periods in each day in which the pupil is enrolled by the total number of days for~~
4 ~~which the pupil is enrolled, as defined by the state superintendent under s. 121.14,~~
5 divided by 1,080 48,600.”.

6 **1241.** Page 1123, line 7: after that line insert:

7 “**SECTION 2131d.** 121.05 (1) (a) 8. of the statutes is amended to read:

8 121.05 (1) (a) 8. Pupils enrolled in ~~a residential school operated by the state the~~
9 Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the
10 Blind and Visually Impaired under subch. III of ch. 115 for whom the school district
11 is paying tuition under s. 115.53 (2) determined by multiplying the total number of
12 periods in each day in which the pupils are enrolled in the local public school by the
13 total number of days for which the pupils are enrolled in the local public school and
14 dividing the product by 1,080.”.

15 **1242.** Page 1124, line 5: after “commenced” insert “, excludes any
16 expenditures from a capital improvement fund created under s. 120.135”.

17 **1243.** Page 1124, line 21: after “(4)” insert “and (4m)”.

18 **1244.** Page 1124, line 21: delete “ss. 118.40 (2r) (e) and 119.23 (4)” and
19 substitute “s. 118.40 (2r)”.

20 **1245.** Page 1124, line 24: after “(ac)” insert “, calculated as if the reduction
21 under par. (c) had not occurred”.

22 **1246.** Page 1125, line 2: after “(ac)” insert “, calculated as if the reduction
23 under par. (c) had not occurred,”.

24 **1247.** Page 1125, line 2: after that line insert:

1 “(b) The amount of state aid that the school district operating under ch. 119 is
2 eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced
3 by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

4 (c) The amount of state aid that each school district other than the school
5 district operating under ch. 119 is eligible to be paid from the appropriation under
6 s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

7 1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year
8 and divide the sum by 2.

9 2. Divide the result obtained under subd. 1. by the total amount of state aid that
10 all school districts other than the school district operating under ch. 119 are eligible
11 to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the
12 reduction under par. (a) had not occurred.

13 3. Multiply the amount of state aid that the school district is eligible to be paid
14 from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under
15 par. (a) had not occurred, by the quotient under subd. 2.”.

16 **1248.** Page 1125, line 3: substitute “(d)” for “(b)”.

17 **1249.** Page 1125, line 4: delete “par. (a)” and substitute “pars. (a) to (c)”.

18 **1250.** Page 1126, line 5: after “and” insert “less the amount of any revenue
19 limit increase under s. 121.91 (4) (h).”.

20 **1251.** Page 1126, line 5: delete the material beginning with “less” and ending
21 with “decimal.” on line 22.

22 **1252.** Page 1126, line 25: before “(fm)” insert “(cs).”.

23 **1253.** Page 1127, line 17: after that line insert:

24 “**SECTION 2142b.** 121.41 (2) of the statutes is amended to read:

1 121.41 (2) FEES. A school board or the technical college system board may
2 establish and collect reasonable fees for any driver education program or part of a
3 program which is neither required for nor credited toward graduation. The school
4 board or the technical college system board may waive any fee established under this
5 subsection for any indigent pupil.”.

6 **1254.** Page 1127, line 17: after that line insert:

7 “**SECTION 2142m.** 121.54 (3) of the statutes is amended to read:

8 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board
9 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),
10 to any public or private elementary or high school, to the ~~Wisconsin school for the~~
11 ~~visually handicapped school operated by the Wisconsin Center for the Blind and~~
12 Visually Impaired or the Wisconsin ~~school~~ School for the deaf Deaf or to any special
13 education program for children with disabilities sponsored by a state tax-supported
14 institution of higher education, including a technical college, regardless of distance,
15 if the request for such transportation is approved by the state superintendent.
16 Approval shall be based on whether or not the child can walk to school with safety
17 and comfort. Section 121.53 shall apply to transportation provided under this
18 subsection.”.

19 **1255.** Page 1130, line 9: on lines 9 and 13, delete “(5) (a) 4.” and substitute
20 “(5r)”.

21 **1256.** Page 1130, line 18: delete “DEBT SERVICE. The” and substitute “LEASE
22 OR LOAN PAYMENTS. If the”.

1 **1257.** Page 1130, line 19: after “119” insert “leases buildings or sites from the
2 redevelopment authority of the city or borrows money from the redevelopment
3 authority of the city under s. 119.16 (3) (c), it”.

4 **1258.** Page 1130, line 20: delete “pay debt service on bonds issued under s.
5 66.431 (5m)” and substitute “make lease payments or repay the loan”.

6 **1259.** Page 1130, line 21: delete “pay the debt service” and substitute “make
7 lease payments or repay the loan”.

8 **1260.** Page 1132, line 3: before that line insert:

9 “**SECTION 2146x.** 121.90 (1) (c) of the statutes is amended to read:

10 121.90 (1) (c) In determining a school district’s revenue limit in the 2000–01
11 school year, a number equal to 20% of the summer enrollment in 1998 shall be
12 included in the number of pupils enrolled on the 3rd Friday of September 1998; a
13 number equal to 20% of the summer enrollment in 1999 shall be included in the
14 number of pupils enrolled on the 3rd Friday of September 1999; and a number equal
15 to 20% 40% of the summer enrollment in the year 2000 shall be included in the
16 number of pupils enrolled on the 3rd Friday of September 2000.

17 **SECTION 2146y.** 121.90 (1) (d) of the statutes is repealed and recreated to read:

18 121.90 (1) (d) In determining a school district’s revenue limit in the 2001–02
19 school year, a number equal to 20% of the summer enrollment in the year 1999 shall
20 be included in the number of pupils enrolled on the 3rd Friday of September 1999;
21 a number equal to 40% of the summer enrollment in the year 2000 shall be included
22 in the number of pupils enrolled on the 3rd Friday of September 2000; and a number
23 equal to 40% of the summer enrollment in the year 2001 shall be included in the
24 number of pupils enrolled on the 3rd Friday of September 2001.

1 **SECTION 2146ym.** 121.90 (1) (dm) of the statutes is created to read:

2 121.90 (1) (dm) In determining a school district's revenue limit in the 2002–03
3 school year, a number equal to 40% of the summer enrollment in the year 2000 shall
4 be included in the number of pupils enrolled on the 3rd Friday of September 2000;
5 a number equal to 40% of the summer enrollment in the year 2001 shall be included
6 in the number of pupils enrolled on the 3rd Friday of September 2001; and a number
7 equal to 40% of the summer enrollment in the year 2002 shall be included in the
8 number of pupils enrolled on the 3rd Friday of September 2002.

9 **SECTION 2146z.** 121.90 (1) (dr) of the statutes is created to read:

10 121.90 (1) (dr) In determining a school district's revenue limit in the 2003–04
11 school year and in each school year thereafter, a number equal to 40% of the summer
12 enrollment shall be included in the number of pupils enrolled on the 3rd Friday of
13 September of each appropriate school year.”.

14 **1261.** Page 1135, line 24: delete the material beginning with that line and
15 ending with page 1136, line 9.

16 **1262.** Page 1136, line 9: after that line insert:

17 **“SECTION 2158m.** 121.91 (4) (h) of the statutes is created to read:

18 121.91 (4) (h) The limit otherwise applicable to a school district under sub. (2m)
19 in any school year is increased by an amount equal to the amount deposited into the
20 capital improvement fund under s. 120.135 in that school year.”.

21 **1263.** Page 1137, line 5: after that line insert:

22 **“SECTION 2164r.** 125.12 (1) (a) of the statutes is amended to read:

1 125.12 (1) (a) Except as provided in ~~par. (b)~~ this subsection, any municipality
2 or the department may revoke, suspend or refuse to renew any license or permit
3 under this chapter, as provided in this section.

4 **SECTION 2164s.** 125.12 (1) (c) of the statutes is created to read:

5 125.12 (1) (c) Neither a municipality nor the department may consider an
6 arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or
7 945.05 (1m) in any action to revoke, suspend or refuse to renew a Class “B” or “Class
8 B” license or permit.”.

9 **1264.** Page 1139, line 11: after that line insert:

10 “**SECTION 2165m.** 125.51 (4) (v) 2. of the statutes is amended to read:

11 125.51 (4) (v) 2. A hotel that has ~~400~~ 50 or more rooms of sleeping
12 accommodations and that has either an attached restaurant with a seating capacity
13 of 150 or more persons or a banquet room in which banquets attended by 400 or more
14 persons may be held.”.

15 **1265.** Page 1139, line 11: after that line insert:

16 “**SECTION 2167m.** 134.48 of the statutes is created to read:

17 **134.48 Contracts for the display of free newspapers. (1) DEFINITIONS.**

18 In this section:

19 (a) “Newspaper” means a publication that is printed on newsprint and that is
20 published, printed and distributed periodically at daily, weekly or other short
21 intervals for the dissemination of current news and information of a general
22 character and of a general interest to the public.

23 (b) “Place of public accommodation” means a business, accommodation,
24 refreshment, entertainment, recreation or transportation facility where goods,

1 services, facilities, privileges, advantages or accommodations are offered, sold or
2 otherwise made available to the public.

3 (2) A contract for the display of a newspaper that is distributed free of charge
4 to the public in a place of public accommodation may not prohibit the person
5 displaying the newspaper for distribution from displaying any other newspaper that
6 is distributed free of charge to the public. A provision in a contract that violates this
7 subsection is unenforceable, but does not affect the enforceability of the remaining
8 provisions of the contract.”.

9 **1266.** Page 1139, line 11: after that line insert:

10 “SECTION 2165L. 125.51 (3m) (c) of the statutes is amended to read:

11 125.51 (3m) (c) A “Class C” license may be issued to a person qualified under
12 s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less
13 than 50% of gross receipts and which does not have a barroom if the municipality’s
14 quota under sub. (4) prohibits the municipality from issuing a “Class B” license to
15 that person or for a restaurant in which the sale of alcohol beverages accounts for less
16 than 50% of gross receipts and which has a barroom in which wine is the only
17 intoxicating liquor sold. A “Class C” license may not be issued to a foreign
18 corporation, a foreign limited liability company or a person acting as agent for or in
19 the employ of another.”.

20 **1267.** Page 1139, line 11: after that line insert:

21 “SECTION 2166a. 138.052 (5) (am) 2. a. of the statutes is amended to read:

22 138.052 (5) (am) 2. a. On January 1, 1994, and annually thereafter, the division
23 of banking for banks, the division of savings and loan institutions for savings and
24 loan associations and savings banks and the office of credit unions for credit unions

1 shall determine the interest rate that is the average of the interest rates paid,
2 rounded to the nearest one–hundredth of a percent, on regular passbook deposit
3 accounts by institutions under the division’s or office’s jurisdiction at the close of the
4 last quarterly reporting period that ended at least 30 days before the determination
5 is made.

6 **SECTION 2168a.** 138.055 (4) (a) of the statutes is amended to read:

7 138.055 (4) (a) The division of savings and ~~loan~~ institutions, if the lender is a
8 savings and loan association or savings bank;

9 **SECTION 2169a.** 138.056 (1) (a) 4. a. of the statutes is amended to read:

10 138.056 (1) (a) 4. a. The division of savings and ~~loan~~ institutions, if the lender
11 is a savings and loan association or savings bank;”.

12 **1268.** Page 1139, line 11: after that line insert:

13 “**SECTION 2167a.** 138.052 (5) (am) 2. b. of the statutes is amended to read:

14 138.052 (5) (am) 2. b. The office of credit unions and the division of banking
15 shall report the rate calculated to the division of savings and ~~loan~~ institutions within
16 5 days after the date on which the determination is made. The division of savings
17 and ~~loan~~ institutions shall calculate the average, rounded to the nearest
18 one–hundredth of a percent, of the 3 rates and report that interest rate to the revisor
19 of statutes within 5 days after the date on which the determination is made.”.

20 **1269.** Page 1139, line 11: after that line insert:

21 “**SECTION 2167x.** 134.73 of the statutes is created to read:

22 **134.73 Identification of prisoner making telephone solicitation. (1)**

23 **DEFINITIONS.** In this section:

24 (a) “Contribution” has the meaning given in s. 440.41 (5).

1 (b) “Prisoner” means a prisoner of any public or private correctional or
2 detention facility that is located within or outside this state.

3 (c) “Solicit” has the meaning given in s. 440.41 (8).

4 (d) “Telephone solicitation” means the unsolicited initiation of a telephone
5 conversation for any of the following purposes:

6 1. To encourage a person to purchase property, goods or services.

7 2. To solicit a contribution from a person.

8 3. To conduct an opinion poll or survey.

9 **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all
10 of the following immediately after the person called answers the telephone:

11 (a) Identify himself or herself by name.

12 (b) State that he or she is a prisoner.

13 (c) Inform the person called of the name of the correctional or detention facility
14 in which he or she is a prisoner and the city and state in which the facility is located.

15 **(3) TERRITORIAL APPLICATION.** (a) *Intrastate.* This section applies to any
16 intrastate telephone solicitation.

17 (b) *Interstate.* This section applies to any interstate telephone solicitation
18 received by a person in this state.

19 **(4) PENALTIES.** (a) A prisoner who violates this section may be required to forfeit
20 not more than \$500.

21 (b) If a person who employs a prisoner to engage in telephone solicitation is
22 concerned in the commission of a violation of this section as provided under s. 134.99,
23 the person may be required to forfeit not more than \$10,000.

24 **SECTION 2167z.** 134.95 (2) of the statutes is amended to read:

1 134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a
2 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,
3 134.72, 134.73 or 134.87 or ch. 136 or a rule promulgated under these sections or that
4 chapter, the person shall be subject to a supplemental forfeiture not to exceed
5 \$10,000 for that violation if the conduct by the defendant, for which the fine or
6 forfeiture was imposed, was perpetrated against an elderly person or disabled person
7 and if any of the factors under s. 100.264 (2) (a), (b) or (c) is present.”.

8 **1270.** Page 1139, line 11: after that line insert:

9 “**SECTION 2166e.** 135.02 (3) of the statutes is renumbered 135.02 (3) (intro.) and
10 amended to read:

11 135.02 (3) (intro.) “Dealership” means a any of the following:

12 (a) A contract or agreement, either expressed or implied, whether oral or
13 written, between 2 or more persons, by which a person is granted the right to sell or
14 distribute goods or services, or use a trade name, trademark, service mark, logotype,
15 advertising or other commercial symbol, in which there is a community of interest
16 in the business of offering, selling or distributing goods or services at wholesale,
17 retail, by lease, agreement or otherwise.

18 **SECTION 2166m.** 135.02 (3) (b) of the statutes is created to read:

19 135.02 (3) (b) A contract or agreement, either expressed or implied, whether
20 oral or written, between 2 or more persons by which a wholesaler, as defined in s.
21 125.02 (21), is granted the right to sell or distribute intoxicating liquor, as defined
22 in s. 125.02 (8), or use a trade name, trademark, service mark, logotype, advertising
23 or other commercial symbol related to intoxicating liquor. This paragraph does not
24 apply to dealerships described in s. 135.066 (5) (a) and (b).

1 **SECTION 2166s.** 135.066 of the statutes is created to read:

2 **135.066 Intoxicating liquor dealerships. (1)** LEGISLATIVE FINDINGS. The
3 legislature finds that a balanced and healthy 3-tier system for distributing
4 intoxicating liquor is in the best interest of this state and its citizens; that the 3-tier
5 system for distributing intoxicating liquor has existed since the 1930's; that a
6 balanced and healthy 3-tier system ensures a level system between the
7 manufacturer and wholesale tiers; that a wholesale tier consisting of numerous
8 healthy competitors is necessary for a balanced and healthy 3-tier system; that the
9 number of intoxicating liquor wholesalers in this state is in significant decline; that
10 this decline threatens the health and stability of the wholesale tier; that the
11 regulation of all intoxicating liquor dealerships, regardless of when they were
12 entered into, is necessary to promote and maintain a wholesale tier consisting of
13 numerous healthy competitors; and that the maintenance and promotion of the
14 3-tier system will promote the public health, safety and welfare. The legislature
15 further finds that a stable and healthy wholesale tier provides an efficient and
16 effective means for tax collection. The legislature further finds that dealerships
17 between intoxicating liquor wholesalers and manufacturers have been subject to
18 state regulation since the enactment of the 21st Amendment to the U.S. Constitution
19 and that the parties to those dealerships expect changes to state legislation
20 regarding those dealerships.

21 **(2)** DEFINITIONS. In this section:

22 (a) "Intoxicating liquor" has the meaning given in s. 125.02 (8).

23 (b) "Net revenues" means the gross dollar amount received from the sale of
24 intoxicating liquor minus adjustments for returns, discounts and allowances.

25 (c) "Wholesaler" has the meaning given in s. 125.02 (21).

1 (d) “Wine” has the meaning given in 125.02 (22).

2 **(3) LIABILITY OF TRANSFEE OF INTOXICATING LIQUOR GRANTOR.** (a) In this
3 subsection:

4 1. “Goodwill” includes the use of a trademark, trade name, logotype or other
5 commercial symbol, and the use of a variation of a trademark, trade name, logotype,
6 advertisement or other commercial symbol.

7 2. “Transferee” means a person who acquires any asset or activity of a grantor’s
8 intoxicating liquor business and who uses the goodwill associated with the
9 intoxicating liquor of the grantor.

10 (b) A transferee shall be bound by each of the grantor’s dealerships with the
11 grantor’s wholesalers and consequently shall be considered a grantor for purposes
12 of, and shall comply with, the requirements of this chapter.

13 **(4) CHANGE IN OWNERSHIP.** (a) In this subsection, “successor wholesaler” means
14 a wholesaler who succeeds to the management, ownership or control of a wholesaler
15 or wholesaler’s business or any part of a wholesaler’s business by any means
16 including by stock purchase, sale of assets or transfer or assignment of a brand of
17 intoxicating liquor that is the subject of a dealership agreement.

18 (b) A change in the management, ownership or control of a wholesaler, a
19 wholesaler’s business or any part of a wholesaler’s business is not good cause for a
20 grantor to terminate, cancel, fail to renew or substantially change the competitive
21 circumstances of its dealership with a successor wholesaler if the successor
22 wholesaler meets the grantor’s reasonable and material qualifications for
23 wholesaler applicants in effect at the time of the change. If the successor wholesaler
24 meets the grantor’s reasonable and material qualifications for wholesaler applicants
25 in effect at the time of the change, the successor wholesaler shall succeed to the

1 dealership rights of the predecessor wholesaler and the grantor shall continue to be
2 bound by the dealership.

3 (5) NONAPPLICABILITY. This section does not apply to any of the following
4 dealerships:

5 (a) Dealerships in which a grantor, including any affiliate, division or
6 subsidiary of the grantor, has never produced more than 200,000 gallons of
7 intoxicating liquor in any year.

8 (b) Dealerships in which the dealer's net revenues from the sale of all of the
9 grantor's brands of intoxicating liquor, except wine, constitute less than 5% of the
10 dealer's total net revenues from the sale of intoxicating liquor, except wine, during
11 the dealer's most recent fiscal year preceding a grantor's cancellation or alteration
12 of a dealership and the dealer's net revenues from the sale of all of the grantor's
13 brands of wine constitute less than 5% of the dealer's total net revenues from the sale
14 of wine during the dealer's most recent fiscal year preceding a grantor's cancellation
15 or alteration of a dealership.

16 (6) SEVERABILITY. The provisions of this section are severable as provided in s.
17 990.001 (11).".

18 **1271.** Page 1139, line 11: after that line insert:

19 "SECTION 2165m. 134.66 (2) (a) of the statutes is amended to read:

20 134.66 (2) (a) No retailer, manufacturer, distributor, jobber or subjobber, no
21 agent, employe or independent contractor of a retailer, manufacturer, distributor,
22 jobber or subjobber and no agent or employe of an independent contractor may sell
23 or provide for nominal or no consideration cigarettes or tobacco products to any
24 person under the age of 18, except as provided in s. ~~938.983 (3)~~ 254.92 (2) (a). A

1 vending machine operator is not liable under this paragraph for the purchase of
2 cigarettes or tobacco products from his or her vending machine by a person under the
3 age of 18 if the vending machine operator was unaware of the purchase.

4 **SECTION 2165n.** 134.66 (2) (b) 1. of the statutes is amended to read:

5 134.66 (2) (b) 1. A retailer shall post a sign in areas within his or her premises
6 where cigarettes or tobacco products are sold to consumers stating that the sale of
7 any cigarette or tobacco product to a person under the age of 18 is unlawful under
8 this section and s. ~~938.983~~ 254.92.

9 **SECTION 2165p.** 134.66 (2) (b) 2. of the statutes is amended to read:

10 134.66 (2) (b) 2. A vending machine operator shall attach a notice in a
11 conspicuous place on the front of his or her vending machines stating that the
12 purchase of any cigarette or tobacco product by a person under the age of 18 is
13 unlawful under s. ~~938.983~~ 254.92 and that the purchaser is subject to a forfeiture of
14 not to exceed \$25.”.

15 **1272.** Page 1139, line 19: after that line insert:

16 “**SECTION 2169pc.** 138.09 (1m) (b) 1. (intro.) of the statutes is amended to read:

17 138.09 (1m) (b) 1. (intro.) ~~–An~~ Except as provided in par. (c), an application
18 under par. (a) for a license shall contain the following:

19 **SECTION 2169pf.** 138.09 (1m) (c) of the statutes is created to read:

20 138.09 (1m) (c) 1. If an applicant who is an individual does not have a social
21 security number, the applicant, as a condition of applying for or applying to renew
22 a license, shall submit a statement made or subscribed under oath or affirmation to
23 the division that the applicant does not have a social security number. The form of
24 the statement shall be prescribed by the department of workforce development.

1 2. Notwithstanding sub. (3) (b), any license issued or renewed in reliance upon
2 a false statement submitted by an applicant under subd. 1. is invalid.

3 **SECTION 2169pm.** 138.09 (3) (am) 1. of the statutes is amended to read:

4 138.09 (3) (am) 1. The applicant fails to provide the any information required
5 under sub. (1m) (b).”.

6 **1273.** Page 1139, line 23: after that line insert:

7 “**SECTION 2169s.** 139.03 (5) (b) of the statutes is renumbered 139.03 (5) (b) 1.
8 and amended to read:

9 139.03 (5) (b) 1. Any Except as provided in subd. 2., any person, except an
10 underage person as defined under s. 125.02 (20m), who leaves a foreign country, after
11 spending at least 48 hours in that foreign country, with the purpose of entering this
12 state may have in that person’s possession and bring into the state intoxicating
13 liquor or wine in sealed original containers in amounts not to exceed, in the
14 aggregate, 4 liters without payment of the tax imposed under this subchapter. The
15 4 liters of tax-free intoxicating liquor and wines may not be sent, shipped or carried
16 into the state other than in the immediate possession of the person as qualified by
17 this subsection.

18 **SECTION 2169t.** 139.03 (5) (b) 2. of the statutes is created to read:

19 139.03 (5) (b) 2. A person who is a member of the national guard, the U. S.
20 armed forces or a reserve component of the U. S. armed forces; who is a state resident;
21 and who leaves a foreign country, after spending at least 48 hours in that foreign
22 country on duty or for training, with the purpose of entering into this state may bring
23 into the state, in sealed original containers and in the person’s immediate possession,

1 intoxicating liquor and wine in an aggregate amount not exceeding 16 liters without
2 paying the tax imposed under this subchapter on that amount.”.

3 **1274.** Page 1139, line 23: after that line insert:

4 “**SECTION 2170a.** 138.12 (5) (a) of the statutes is amended to read:

5 138.12 (5) (a) The commissioner division may revoke or suspend the license of
6 any insurance premium finance company if the commissioner division finds that any
7 of the following:

8 1. Any license issued to such company was obtained by fraud,_;

9 2. There was any misrepresentation in the application for the license,_;

10 3. The holder of such license has otherwise shown himself or herself
11 untrustworthy or incompetent to act as a premium finance company,_;

12 4. Such The company has violated any provision of this section, _{or}

13 5. Such The company has been rebating part of the service charge as allowed
14 and permitted herein to any insurance agent or insurance broker or any employe of
15 an insurance agent or insurance broker or to any other person as an inducement to
16 the financing of any insurance policy with the premium finance company.”.

17 **1275.** Page 1139, line 23: after that line insert:

18 “**SECTION 2170d.** 138.12 (3) (d) 1. (intro.) of the statutes is amended to read:

19 138.12 (3) (d) 1. (intro.) ~~An~~ Except as provided in par. (e), an application for
20 a license under this section shall contain the following:

21 **SECTION 2170g.** 138.12 (3) (e) of the statutes is created to read:

22 138.12 (3) (e) 1. If an applicant who is an individual does not have a social
23 security number, the applicant, as a condition of applying for or applying to renew
24 a license under this section, shall submit a statement made or subscribed under oath

1 or affirmation to the division that the applicant does not have a social security
2 number. The form of the statement shall be prescribed by the department of
3 workforce development.

4 2. Any license issued or renewed in reliance upon a false statement submitted
5 by an applicant under subd. 1. is invalid.

6 **SECTION 2170n.** 138.12 (5) (am) 1. c. of the statutes is amended to read:

7 138.12 (5) (am) 1. c. In the case of a licensee who is an individual, the applicant
8 ~~fails to provide his or her social security number,~~ fails to comply, after appropriate
9 notice, with a subpoena or warrant that is issued by the department of workforce
10 development or a county child support agency under s. 59.53 (5) and that is related
11 to paternity or child support proceedings or the applicant is delinquent in making
12 court-ordered payments of child or family support, maintenance, birth expenses,
13 medical expenses or other expenses related to the support of a child or former spouse,
14 as provided in a memorandum of understanding entered into under s. 49.857. An
15 applicant whose renewal application is denied under this subd. 1. c. is entitled to a
16 notice and hearing under s. 49.857 but is not entitled to a hearing under par. (b).”.

17 **1276.** Page 1140, line 3: delete that line.

18 **1277.** Page 1140, line 6: after that line insert:

19 “**SECTION 2171p.** 139.32 (5) of the statutes is amended to read:

20 139.32 (5) Manufacturers and distributors having a permit from the secretary
21 shall receive a discount of ~~1.6%~~ 2% of the tax.”.

22 **1278.** Page 1140, line 7: delete lines 7 to 24.

23 **1279.** Page 1140, line 25: delete the material beginning with that line and
24 ending with page 1142, line 6.

1 **1280.** Page 1143, line 13: delete “a portion” and substitute “70%”.

2 **1281.** Page 1144, line 1: delete lines 1 and 2.

3 **1282.** Page 1144, line 9: delete “70%” and substitute “50%”.

4 **1283.** Page 1155, line 13: after that line insert:

5 “**SECTION 2249m.** 146.40 (4d) (a) of the statutes is amended to read:

6 146.40 **(4d)** (a) The Except as provided in par. (am), the department shall
7 require each applicant to provide the department with his or her social security
8 number, if the applicant is an individual, or the applicant’s federal employer
9 identification number, if the applicant is not an individual, as a condition of issuing
10 a certification under sub. (3) or an approval under sub. (3m).

11 **SECTION 2249mi.** 146.40 (4d) (am) of the statutes is created to read:

12 146.40 **(4d)** (am) If an individual who applies for a certification or approval
13 under par. (a) does not have a social security number, the individual, as a condition
14 of obtaining certification or approval, shall submit a statement made or subscribed
15 under oath or affirmation to the department that the applicant does not have a social
16 security number. The form of the statement shall be prescribed by the department
17 of workforce development. A certification or approval issued in reliance upon a false
18 statement submitted under this paragraph is invalid.

19 **SECTION 2249n.** 146.40 (4d) (c) of the statutes is amended to read:

20 146.40 **(4d)** (c) The Except as provided in par. (am), the department shall deny
21 an application for the issuance of a certification or approval specified in par. (a) if the
22 applicant does not provide the information specified in par. (a).

23 **SECTION 2249p.** 146.51 (1) (intro.) of the statutes is amended to read:

1 146.51 (1) (intro.) The Except as provided in sub. (1m), the department shall
2 require each applicant to provide the department with the applicant's social security
3 number, if the applicant is an individual, as a condition of issuing or renewing any
4 of the following:

5 **SECTION 2249q.** 146.51 (1m) of the statutes is created to read:

6 146.51 (1m) If an individual who applies for or to renew a license, training
7 permit or certification under sub. (1) does not have a social security number, the
8 individual, as a condition of obtaining the license, training permit or certification,
9 shall submit a statement made or subscribed under oath or affirmation to the
10 department that the applicant does not have a social security number. The form of
11 the statement shall be prescribed by the department of workforce development. A
12 license, training permit or certification issued or renewed in reliance upon a false
13 statement submitted under this subsection is invalid.

14 **SECTION 2249r.** 146.52 (1) (intro.) of the statutes is amended to read:

15 146.52 (1) (intro.) The Except as provided in sub. (1m), the department shall
16 require each applicant to provide the department with his or her social security
17 number, if the applicant is an individual, or the applicant's federal employer
18 identification number, if the applicant is not an individual, as a condition of issuing
19 or renewing any of the following:

20 **SECTION 2249s.** 146.52 (1m) of the statutes is created to read:

21 146.52 (1m) If an individual who applies for or to renew a license, training
22 permit or certificate under sub. (1) does not have a social security number, the
23 individual, as a condition of obtaining the license, training permit or certificate, shall
24 submit a statement made or subscribed under oath or affirmation to the department
25 that the applicant does not have a social security number. The form of the statement

1 shall be prescribed by the department of workforce development. A license, training
2 permit or certificate issued or renewed in reliance upon a false statement submitted
3 under this subsection is invalid.

4 **SECTION 2249t.** 146.52 (3) of the statutes is amended to read:

5 146.52 (3) The Except as provided in sub. (1m), the department shall deny an
6 application for the issuance or renewal of a license, certificate or permit specified in
7 sub. (1) if the applicant does not provide the information specified in sub. (1).”.

8 **1284.** Page 1156, line 10: after “(b)” insert “1. to 7.”.

9 **1285.** Page 1156, line 21: delete lines 21 and 22.

10 **1286.** Page 1158, line 3: after that line insert:

11 “8. A person who is designated as a poison information provider, annually
12 receives at least 16 documented hours of job–relevant continuing education and has
13 an appropriate health–oriented background.”.

14 **1287.** Page 1158, line 4: delete lines 4 to 11.

15 **1288.** Page 1158, line 11: after that line insert:

16 “**SECTION 2252gm.** 146.819 (4) (e) of the statutes is repealed.”.

17 **1289.** Page 1158, line 11: after that line insert:

18 “**SECTION 2251r.** 146.84 (3) of the statutes is amended to read:

19 146.84 (3) DISCIPLINE OF EMPLOYES. Any person employed by the state, or any
20 political subdivision of the state who violates s. 146.82 or 146.83, except a health care
21 provider that negligently violates s. 153.50 (6) (c), may be discharged or suspended
22 without pay.”.

23 **1290.** Page 1158, line 11: after that line insert:

24 “**SECTION 2252m.** 146.81 (1) (eq) of the statutes is created to read:

146.81 (1) (eq) An athletic trainer licensed under subch. VI of ch. 448.”.

1291. Page 1158, line 19: delete lines 19 to 21 and substitute “commencement of each fiscal year, estimate the total amount of expenditures and the department shall assess the estimated total amount under s. 20.435 (1) (gp) to hospitals, as defined in s. 50.33 (2), a total of \$1,500,000, in proportion to each hospital’s respective gross”.

1292. Page 1169, line 20: after that line insert:

“**SECTION 2277m.** 149.165 (2) (intro.) of the statutes is amended to read:

149.165 (2) (intro.) If Subject to sub. (3m), if the household income, as defined in s. 71.52 (5) and as determined under sub. (3), of an eligible person is equal to or greater than the first amount and less than the 2nd amount listed in any of the following, the department shall reduce the premium for the eligible person to the rate shown after the amounts:

SECTION 2277p. 149.165 (2) (e) of the statutes is created to read:

149.165 (2) (e) If equal to or greater than \$20,000 and less than \$25,000, to 130% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

SECTION 2277t. 149.165 (3m) of the statutes is created to read:

149.165 (3m) Upon request of the board, the joint committee on finance may approve or disapprove adjustment, by the board or the department, of the household income dollar amounts listed in sub. (2) (a) to (e), except for the first dollar amount listed in sub. (2) (a), to reflect changes in the consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor. With

1 any request for approval of adjustment under this subsection, the board shall submit
2 to the joint committee on finance the proposed adjusted amounts.”.

3 **1293.** Page 1170, line 11: after that line insert:

4 “**SECTION 2278rm.** 150.84 (2) of the statutes is amended to read:

5 150.84 (2) “Health care facility” means a facility, as defined in s. 647.01 (4), or
6 any hospital, nursing home, community-based residential facility, county home,
7 county infirmary, county hospital, county mental health center, ~~tuberculosis~~
8 ~~sanatorium~~ or other place licensed or approved by the department under s. 49.70,
9 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a
10 facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.”.

11 **1294.** Page 1170, line 18: after that line insert:

12 “**SECTION 2280b.** 153.45 (1) (b) of the statutes is renumbered 153.45 (1) (b) 1.
13 and amended to read:

14 153.45 (1) (b) 1. ~~Public~~ For information that is submitted by hospitals or
15 ambulatory surgery centers, public use data files ~~which~~ that do not permit the
16 identification of specific patients, employers or health care providers, as defined by
17 rules promulgated by the department. The identification of ~~these groups~~ patients,
18 employers or health care providers shall be protected by all necessary means,
19 including the deletion of patient identifiers and the use of calculated variables and
20 aggregated variables.

21 **SECTION 2280c.** 153.45 (1) (b) 2. of the statutes is created to read:

22 153.45 (1) (b) 2. For information that is submitted by health care providers
23 other than hospitals or ambulatory surgery centers, public use data files that do not
24 permit the identification of specific patients, employers or health care providers, as

1 defined by rules promulgated by the department. The identification of patients,
2 employers or health care providers shall be protected by all necessary means,
3 including the deletion of patient identifiers; the use of calculated variables and
4 aggregated variables; the specification of counties as to residence, rather than zip
5 codes; the use of 5–year categories for age, rather than exact age; not releasing
6 information concerning a patient’s race or ethnicity or dates of admission, discharge,
7 procedures or visits; and masking sensitive diagnoses and procedures by use of
8 larger diagnostic and procedure categories. Public use data files under this
9 subdivision may include only the following:

- 10 a. The patient’s county of residence.
- 11 b. The payment source, by type.
- 12 c. The patient’s age category, by 5–year intervals up to age 80 and a category
13 of 80 years or older.
- 14 d. The patient’s procedure code.
- 15 e. The patient’s diagnosis code.
- 16 f. Charges assessed with respect to the procedure code.
- 17 g. The name and address of the facility in which the patient’s services were
18 rendered.
- 19 h. The patient’s sex.
- 20 i. Information that contains the name of a health care provider that is not a
21 hospital or ambulatory surgery center, if the independent review board first reviews
22 and approves the release or if the department promulgates rules that specify
23 circumstances under which the independent review board need not review and
24 approve the release.

1 j. Calendar quarters of service, except if the department specifies by rule that
2 the number of data elements included in the public use data file is too small to enable
3 protection of patient confidentiality.

4 k. Information other than patient–identifiable data, as defined in s. 153.50 (1)
5 (b), as approved by the independent review board.

6 **SECTION 2280e.** 153.45 (1) (c) of the statutes is renumbered 153.45 (1) (c)
7 (intro.) and amended to read:

8 153.45 (1) (c) (intro.) Custom–designed reports containing portions of the data
9 under par. (b). Of information submitted by health care providers that are not
10 hospitals or ambulatory surgery centers, requests under this paragraph for data
11 elements other than those available for public use data files under par. (b) 2.,
12 including the patient’s month and year of birth, require review and approval by the
13 independent review board before the data elements may be released. Information
14 that contains the name of a health care provider that is not a hospital or ambulatory
15 surgery center may be released only if the independent review board first reviews
16 and approves the release or if the department promulgates rules that specify
17 circumstances under which the independent review board need not review and
18 approve the release. Reports under this paragraph may include the patient’s zip code
19 only if at least one of the following applies:

20 **SECTION 2280f.** 153.45 (1) (c) 1. to 4. of the statutes are created to read:

21 153.45 (1) (c) 1. Other potentially identifying data elements are not released.

22 2. Population density is sufficient to mask patient identity.

23 3. Other potentially identifying data elements are grouped to provide
24 population density sufficient to protect identity.

25 4. Multiple years of data elements are added to protect identity.

1 **SECTION 2280g.** 153.45 (6) of the statutes is created to read:

2 153.45 **(6)** The department may not sell or distribute data bases of information,
3 from health care providers who are not hospitals or ambulatory surgery centers, that
4 are able to be linked with public use data files, unless first approved by the
5 independent review board.

6 **SECTION 2280ge.** 153.50 (1) (a) of the statutes is renumbered 153.01 (2m).

7 **SECTION 2280gg.** 153.50 (1) (b) of the statutes is renumbered 153.50 (1) (b) 1.,
8 and 153.50 (1) (b) 1. (intro.), as renumbered, is amended to read:

9 153.50 **(1)** (b) 1. (intro.) “Patient–identifiable data”, for information submitted
10 by hospitals and ambulatory surgery centers. means all of the following data
11 elements:

12 **SECTION 2280gm.** 153.50 (1) (b) 2. of the statutes is created to read:

13 153.50 **(1)** (b) 2. “Patient–identifiable data”, for information submitted by
14 health care providers who are not hospitals or ambulatory surgery centers, means
15 all of the following data elements:

16 a. Data elements specified in subd. 1. a. to g., L. and m.

17 b. Whether the patient’s condition is related to employment, and occurrence
18 and place of an auto accident or other accident.

19 c. Date of first symptom of current illness, of current injury or of current
20 pregnancy.

21 d. First date of patient’s same or similar illness, if any.

22 e. Dates that the patient has been unable to work in his or her current
23 occupation.

24 f. Dates of receipt by patient of medical service.

25 g. The patient’s city, town or village.

1 **SECTION 2280h.** 153.50 (2) of the statutes is repealed.

2 **SECTION 2280i.** 153.50 (3) (b) 7. of the statutes is created to read:

3 153.50 **(3)** (b) 7. The patient's account number, after use only as verification of
4 data by the department.

5 **SECTION 2280j.** 153.50 (3) (c) of the statutes is created to read:

6 153.50 **(3)** (c) Develop, for use by purchasers of data under this chapter, a data
7 use agreement that specifies data use restrictions, appropriate uses of data and
8 penalties for misuse of data, and notify prospective and current purchasers of data
9 of the appropriate uses.

10 **SECTION 2280k.** 153.50 (3) (d) of the statutes is created to read:

11 153.50 **(3)** (d) Require that a purchaser of data under this chapter sign and have
12 notarized the data use agreement of the department specified in par. (c).

13 **SECTION 2280km.** 153.50 (3m) of the statutes is created to read:

14 153.50 **(3m)** HEALTH CARE PROVIDER MEASURES TO ENSURE PATIENT IDENTITY
15 PROTECTION. A health care provider that is not a hospital or ambulatory surgery
16 center shall, before submitting information required by the department under this
17 chapter, convert to a payer category code as specified by the department any names
18 of an insured's payer or other insured's payer.

19 **SECTION 2280kp.** 153.50 (4) (intro.) of the statutes is renumbered 153.50 (4)
20 (a) (intro.) and amended to read:

21 153.50 **(4)** (a) (intro.) Under Except as specified in par. (b), under the
22 procedures specified in sub. (5), release of patient-identifiable data may be made
23 only to any of the following:

24 **SECTION 2280kq.** 153.50 (4) (a) of the statutes is repealed.

1 **SECTION 2280kr.** 153.50 (4) (b) to (e) of the statutes are renumbered 153.50 (4)
2 (a) 1. to 4.

3 **SECTION 2280ks.** 153.50 (4) (b) of the statutes is created to read:

4 153.50 (4) (b) Of information submitted by health care providers that are not
5 hospitals or ambulatory surgery centers, patient–identifiable data that contain a
6 patient’s date of birth may be released under par. (a) only under circumstances as
7 specified by rule by the department.

8 **SECTION 2280ku.** 153.50 (5) (a) (intro.) of the statutes is amended to read:

9 153.50 (5) (a) (intro.) The department may not release or provide access to
10 patient–identifiable data to a person authorized under sub. (4) (a), ~~(c), (d) or (e)~~
11 unless the authorized person requests the department, in writing, to release the
12 patient–identifiable data. The request shall include all of the following:

13 **SECTION 2280kv.** 153.50 (5) (a) 3. of the statutes is amended to read:

14 153.50 (5) (a) 3. For a person who is authorized under sub. (4) (a), ~~(c) or (d)~~ to
15 receive or have access to patient–identifiable data, evidence, in writing, that
16 indicates that authorization.

17 **SECTION 2280kw.** 153.50 (5) (a) 4. (intro.) of the statutes is amended to read:

18 153.50 (5) (a) 4. (intro.) For an entity that is authorized under sub. (4) ~~(e)~~ (a)
19 4. to receive or have access to patient–identifiable data, evidence, in writing, of all
20 of the following:

21 **SECTION 2280kx.** 153.50 (5) (b) 3. of the statutes is amended to read:

22 153.50 (5) (b) 3. For a person who believes that he or she is authorized under
23 sub. (4) (a), the action provided under s. 19.37.”.

24 **1295.** Page 1170, line 22: after that line insert:

1 **“SECTION 2280p.** 153.50 (6) of the statutes is renumbered 153.50 (6) (a).

2 **SECTION 2280q.** 153.50 (6) (b), (c), (d) and (e) of the statutes are created to read:

3 153.50 **(6)** (b) The department may not require under this chapter a health care
4 provider that is not a hospital or ambulatory surgery center to submit uniform
5 patient billing forms.

6 (c) A health care provider that is not a hospital or ambulatory surgery center
7 may not submit any of the following to the department under the requirements of
8 this chapter:

- 9 1. The data elements specified under sub. (3) (b).
- 10 2. The patient’s telephone number.
- 11 3. The insured’s employer’s name or school name.
- 12 4. Data regarding insureds other than the patient, other than the payer
13 category code under sub. (3m).
- 14 5. The patient’s employer’s name or school name.
- 15 6. The patient’s relationship to the insured.
- 16 7. The insured’s identification number.
- 17 8. The insured’s policy or group number.
- 18 9. The insured’s date of birth or sex.
- 19 10. The patient’s marital, employment or student status.

20 (d) If a health care provider that is not a hospital or ambulatory surgery center
21 submits a data element that is specified in par. (c) 1. to 10., the department shall
22 immediately return this information to the health care provider or, if discovered
23 later, shall remove and destroy the information.

24 (e) A health care provider may not submit information that uses any of the
25 following as a patient account number:

1 1. The patient's social security number or any substantial portion of the
2 patient's social security number.

3 2. A number that is related to another patient identifying number.

4 **SECTION 2280r.** 153.55 of the statutes is amended to read:

5 **153.55 Protection of ~~health care provider confidentiality.~~** ~~Health care~~
6 ~~provider-identifiable data~~ Data obtained under this chapter is not subject to
7 inspection, copying or receipt under s. 19.35 (1).”.

8 **1296.** Page 1172, line 14: after that line insert:

9 “**SECTION 2283g.** 153.67 of the statutes is created to read:

10 **153.67 Independent review board.** The independent review board shall
11 review any request under s. 153.45 (1) (c) for data elements other than those
12 available for public use data files under s. 153.45 (1) (b). Unless the independent
13 review board approves such a request or unless independent review board approval
14 is not required under rules of the department promulgated under s. 153.45 (1) (c)
15 (intro.), the data elements requested may not be released.

16 **SECTION 2283h.** 153.76 of the statutes is created to read:

17 **153.76 Rule-making by the independent review board.**
18 Notwithstanding s. 15.01 (1r), the independent review board may promulgate only
19 those rules that are first reviewed and approved by the board on health care
20 information.

21 **SECTION 2283i.** 153.85 of the statutes is amended to read:

22 **153.85 Civil liability.** ~~Any~~ Except as provided in s. 153.86, any person
23 violating s. 153.50 or rules promulgated under s. 153.75 (1) (a) is liable to the patient

1 for actual damages and costs, plus exemplary damages of up to \$1,000 for a negligent
2 violation and up to \$5,000 for an intentional violation.

3 **SECTION 2283j.** 153.86 of the statutes is created to read:

4 **153.86 Immunity from liability. (1)** A health care provider that submits
5 information to the department under this chapter is immune from civil liability for
6 all of the following:

7 (a) Any act or omission of an employee, official or agent of the health care
8 provider that results in the release of a prohibited data element while submitting
9 data to the department.

10 (b) Any act or omission of the department that results in the release of data.

11 **(2)** The immunity provided under this section does not apply to intentional,
12 wilful or reckless acts or omissions by health care providers.

13 **SECTION 2283k.** 153.90 (1) of the statutes is amended to read:

14 153.90 **(1)** Whoever intentionally violates s. 153.45 (5) or 153.50 or rules
15 promulgated under s. 153.75 (1) (a) may be fined not more than \$10,000 \$15,000 or
16 imprisoned for not more than ~~9 months~~ one year in the county jail or both.”.

17 **1297.** Page 1174, line 2: after that line insert:

18 **“SECTION 2283rm.** 155.01 (6) of the statutes is amended to read:

19 155.01 **(6)** “Health care facility” means a facility, as defined in s. 647.01 (4), or
20 any hospital, nursing home, community-based residential facility, county home,
21 county infirmary, county hospital, county mental health center, ~~tuberculosis~~
22 ~~sanatorium~~ or other place licensed or approved by the department under s. 49.70,
23 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a
24 facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.”.

1 **1298.** Page 1174, line 2: after that line insert:

2 “**SECTION 2283t.** 157.065 (3) of the statutes is renumbered 157.065 (3) (a).

3 **SECTION 2283u.** 157.065 (3) (b) of the statutes is created to read:

4 157.065 **(3)** (b) Any private military academy that provides an educational
5 program for grades 7 to 12 in a 4th class city may establish a private cemetery within
6 the city on land that the military academy owns, if the common council consents. No
7 mausoleum within a cemetery established under this paragraph may exceed 3,500
8 square feet in area.”.

9 **1299.** Page 1174, line 14: after that line insert:

10 “**SECTION 2288g.** 165.76 (1) (a) of the statutes, as affected by 1999 Wisconsin
11 Act (this act), is amended to read:

12 165.76 **(1)** (a) Is in a secured correctional facility, as defined in s. 938.02 (15m),
13 or a secured child caring institution, as defined in s. 938.02 (15g), or a secured group
14 home, as defined in s. 938.02 (15p), or on probation, extended supervision, parole,
15 supervision or aftercare supervision on or after August 12, 1993, for any violation of
16 s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.”.

17 **1300.** Page 1175, line 9: after that line insert:

18 “**SECTION 2289t.** 165.842 of the statutes is created to read:

19 **165.842 Motor vehicle stops; collection of information; annual report.**

20 **(1) DEFINITIONS.** In this section:

21 (a) “Department” means the department of justice.

22 (b) “Law enforcement agency” has the meaning given in s. 165.77 (1) (b).

23 (c) “Law enforcement officer” means a person who is employed by a law
24 enforcement agency for the purpose of detecting and preventing crime and enforcing

1 laws or ordinances and who is authorized to make arrests for violations of the laws
2 or ordinances the person is employed to enforce, whether that enforcement authority
3 extends to all laws or ordinances or is limited to specific laws or ordinances.

4 (d) “Motor vehicle stop” means the stop of a motor vehicle that is traveling in
5 any public or private place, or the detention of an occupied motor vehicle that is
6 already stopped in any public or private place, for the purpose of investigating any
7 alleged or suspected violation of a state or federal law or city, village, town or county
8 ordinance.

9 **(2) INFORMATION COLLECTION REQUIRED.** All persons in charge of law
10 enforcement agencies shall obtain, or cause to be obtained, all of the following
11 information with respect to each motor vehicle stop made on or after January 1, 2001,
12 by a law enforcement officer employed by the law enforcement agency:

13 (a) The reason the law enforcement officer stopped the motor vehicle.

14 (b) The age, gender and race or ethnicity of the driver of the motor vehicle.

15 (c) The number of persons in the motor vehicle.

16 (d) Whether a search was conducted of the motor vehicle, the driver of the motor
17 vehicle or any passenger in the motor vehicle, and for each search conducted all of
18 the following information:

19 1. Whether the search was based on probable cause or reasonable suspicion,
20 on the consent of the person searched or, for a motor vehicle search, on the consent
21 of the driver or other authorized person.

22 2. If the search was of a passenger in the motor vehicle, the age, gender and race
23 or ethnicity of the passenger.

24 3. What, if anything, was seized as a result of the search.

1 (e) Whether a person was asked to give consent to a search of the motor vehicle
2 or of his or her person but refused to give consent.

3 (f) Whether the motor vehicle stop or a search conducted during the stop
4 resulted in the driver or any passenger being given a written warning of or a citation
5 for a violation of any law or ordinance and, if so, a listing of each warning or citation
6 given and the alleged violation for which the warning or citation was given.

7 (g) Whether the motor vehicle stop or a search conducted during the stop
8 resulted in the arrest of the driver or any passenger and, if so, a listing of each arrest
9 made and the reason for the arrest.

10 (h) Any other information required to be collected under the rules promulgated
11 by the department under sub. (5).

12 **(3) SUBMISSION OF INFORMATION COLLECTED.** The information obtained by a law
13 enforcement agency under sub. (2) shall be forwarded to the department using the
14 form prescribed by the rules promulgated under sub. (5) and in accordance with the
15 reporting schedule established under the rules promulgated under sub. (5).

16 **(4) ANALYSIS AND REPORT BY DEPARTMENT.** (a) The department shall compile the
17 information submitted to it by law enforcement agencies under sub. (3) and shall
18 analyze the information, along with any other relevant information, to determine
19 whether law enforcement officers target racial minorities when making motor
20 vehicle stops to investigate alleged or suspected violations of federal, state or local
21 laws or ordinances.

22 (b) For each calendar year, the department shall prepare an annual report that
23 summarizes the information submitted to it by law enforcement agencies concerning
24 motor vehicle stops made during the calendar year and that describes the methods
25 and conclusions of its analysis of the information. On or before March 31, 2002, and

1 on or before each March 31 thereafter, the department shall submit the annual
2 report required under this paragraph to the legislature under s. 13.172 (2), to the
3 governor and to the director of state courts.

4 (5) RULES. (a) The department shall promulgate rules to implement the
5 requirements of this section, including rules prescribing a form for use in obtaining
6 information under sub. (2) and establishing a schedule for forwarding the
7 information obtained to the department. The department shall make the form
8 prescribed by its rules available to law enforcement agencies.

9 (b) The department may by rule require the collection of information in
10 addition to that specified in sub. (2) (a) to (g) if the department determines that the
11 information will help to determine whether law enforcement officers target racial
12 minorities when making motor vehicle stops to investigate alleged or suspected
13 violations of federal, state or local laws or ordinances.”.

14 **1301.** Page 1175, line 9: after that line insert:

15 “SECTION 2289d. 165.76 (2) (b) 2. of the statutes is amended to read:

16 165.76 (2) (b) 2. If the person has been sentenced to prison or placed in a secured
17 correctional facility ~~or~~, a secured child caring institution or a secured group home,
18 he or she shall provide the specimen under par. (a) at the office of a county sheriff as
19 soon as practicable after release on parole, extended supervision or aftercare
20 supervision, as directed by his or her probation, extended supervision and parole
21 agent or aftercare agent, except that the department of corrections or the county
22 department under s. 46.215, 46.22 or 46.23 operating the secured group home in
23 which the person is placed may require the person to provide the specimen while he

1 or she is in prison or in a the secured correctional facility ~~or a~~ secured child caring
2 institution or secured group home.”.

3 **1302.** Page 1175, line 9: after that line insert:

4 “**SECTION 2289d.** 165.85 (3m) (b) of the statutes is renumbered 165.85 (3m) (b)

5 1. and amended to read:

6 165.85 **(3m)** (b) 1. Request that an individual provide the board with his or her
7 social security number when he or she applies for certification or recertification
8 under this section. ~~If~~ Except as provided in subd. 2., if an individual who is requested
9 by the board to provide his or her social security number under this paragraph does
10 not comply with the board’s request, the board shall deny the individual’s application
11 for certification or recertification. The board may disclose a social security number
12 provided by an individual under this paragraph only to the department of workforce
13 development as provided in a memorandum of understanding entered into with the
14 department of workforce development under s. 49.857.

15 **SECTION 2289e.** 165.85 (3m) (b) 2. of the statutes is created to read:

16 165.85 **(3m)** (b) 2. As a condition of applying for certification or recertification,
17 an individual who does not have a social security number shall submit a statement
18 made or subscribed under oath or affirmation to the board that he or she does not
19 have a social security number. The form of the statement shall be prescribed by the
20 department of workforce development. A certification or recertification issued in
21 reliance on a false statement submitted under this subdivision is invalid.”.

22 **1303.** Page 1176, line 24: after that line insert:

23 “**SECTION 2301m.** 166.03 (2) (a) 6. of the statutes is created to read:

1 166.03 (2) (a) 6. Purchase from the appropriation under s. 20.465 (3) (a), at a
2 cost not to exceed \$110,000, infrared optical equipment to be located and maintained
3 by the Chippewa County emergency management agency and used by the civil air
4 patrol to search for lost individuals.”.

5 **1304.** Page 1177, line 13: after that line insert:

6 “**SECTION 2303b.** 166.215 (1) of the statutes is amended to read:

7 166.215 (1) The Beginning July 1, 2001, the division shall contract with ~~no~~
8 ~~fewer than 7 and no more than 9~~ regional emergency response teams, ~~each of which~~
9 ~~will one of which shall be located in La Crosse County. Each regional emergency~~
10 response team shall assist in the emergency response to level A releases in a region
11 of this state designated by the division. The division shall contract with at least one
12 regional emergency response team in each area designated under s. 166.03 (2) (b) 1.
13 The division may only contract with a local agency, as defined in s. 166.22 (1) (c),
14 under this subsection. A member of a regional emergency response team shall meet
15 the standards for a hazardous materials specialist in 29 CFR 1910.120 (q) (6) (iv) and
16 national fire protection association standards NFPA 471 and 472. Payments to
17 regional emergency response teams under this subsection shall be made from the
18 appropriation account under s. 20.465 (3) (dd).”.

19 **1305.** Page 1179, line 5: after that line insert:

20 “**SECTION 2304c.** 180.0103 (6) of the statutes is repealed and recreated to read:

21 180.0103 (6) “Deliver” or “delivery” means any method of delivery used in
22 conventional commercial practice, including delivery by hand, mail, commercial
23 delivery and electronic transmission.

24 **SECTION 2304cm.** 180.0103 (7m) of the statutes is created to read:

1 180.0103 **(7m)** “Electronic transmission” or “electronically transmitted”
2 means internet transmission, telephonic transmission, electronic mail
3 transmission, transmission of a telegram, cablegram or datagram or any other form
4 or process of communication that does not directly involve the physical transfer of
5 paper and that is suitable for the retention, retrieval and reproduction of information
6 by the recipient.

7 **SECTION 2304dm.** 180.0103 (16) of the statutes is amended to read:

8 180.0103 **(16)** “Signed” or “signature” includes any manual, facsimile,
9 conformed or electronic signature or any symbol executed or adopted by a party with
10 present intention to authenticate a writing or electronic transmission.

11 **SECTION 2304ed.** 180.0141 (2) (a) of the statutes is amended to read:

12 180.0141 **(2)** (a) A person shall give notice in writing, except as provided in par.
13 (b). For purposes of this section, notice by electronic transmission is written notice.

14 **SECTION 2304fb.** 180.0141 (3) of the statutes is amended to read:

15 180.0141 **(3)** Except as provided in s. 180.0721 (4) or unless otherwise provided
16 in the articles of incorporation or bylaws, notice may be communicated in person, ;
17 by telephone, telegraph, teletype, facsimile or other form of wire or wireless
18 communication, or by mail or private carrier, and, if mail or other method of delivery:
19 by telephone, including voice mail, answering machine or answering service; or by
20 any other electronic means. If these forms of personal notice are impracticable,
21 notice may be communicated by a newspaper of general circulation in the area where
22 published, or by radio, television or other form of public broadcast communication.

23 **SECTION 2304fh.** 180.0141 (5) (b) of the statutes is renumbered 180.0141 (5)

24 (b) (intro.) and amended to read:

1 180.0141 (5) (b) (intro.) Written notice by a domestic corporation or foreign
2 corporation to its shareholder is effective ~~when~~ under any of the following conditions:

3 1. When mailed and may be, but only if mailed postpaid and addressed to the
4 shareholder's address shown in the domestic corporation's or foreign corporation's
5 current record of shareholders.

6 **SECTION 2304gb.** 180.0141 (5) (b) 2. of the statutes is created to read:

7 180.0141 (5) (b) 2. When electronically transmitted to the shareholder in a
8 manner authorized by the shareholder.

9 **SECTION 2304gm.** 180.0722 (2) of the statutes is repealed and recreated to
10 read:

11 180.0722 (2) (a) A shareholder entitled to vote at a meeting of shareholders, or
12 to express consent or dissent in writing to any corporate action without a meeting of
13 shareholders, may authorize another person to act for the shareholder by appointing
14 the person as proxy. An appointment of a proxy may be in durable form as provided
15 in s. 243.07.

16 (b) Without limiting the manner in which a shareholder may appoint a proxy
17 under par. (a), a shareholder or the shareholder's authorized officer, director,
18 employe, agent or attorney-in-fact may use any of the following as a valid means to
19 make such an appointment:

20 1. Appointment of a proxy in writing by signing or causing the shareholder's
21 signature to be affixed to an appointment form by any reasonable means, including,
22 but not limited to, by facsimile signature.

23 2. Appointment of a proxy by transmitting or authorizing the transmission of
24 an electronic transmission of the appointment to the person who will be appointed
25 as proxy or to a proxy solicitation firm, proxy support service organization or like

1 agent authorized to receive the transmission by the person who will be appointed as
2 proxy. Every electronic transmission shall contain, or be accompanied by,
3 information that can be used to reasonably determine that the shareholder
4 transmitted or authorized the transmission of the electronic transmission. Any
5 person charged with determining whether a shareholder transmitted or authorized
6 the transmission of the electronic transmission shall specify the information upon
7 which the determination is made.

8 (c) Any copy, facsimile telecommunication or other reliable reproduction of the
9 information in the appointment form under par. (b) 1. or the electronic transmission
10 under par. (b) 2. may be substituted or used in lieu of the original appointment form
11 or electronic transmission for any purpose for which the original appointment form
12 or electronic transmission could be used, but only if the copy, facsimile
13 telecommunication or other reliable reproduction is a complete reproduction of the
14 information in the original appointment form or electronic transmission.

15 **SECTION 2304gz.** 180.0722 (3) of the statutes is amended to read:

16 180.0722 (3) An appointment of a proxy is effective when a signed appointment
17 form or an electronic transmission of the appointment is received by the secretary
18 ~~or other~~ inspector of election or the officer or agent of the corporation authorized to
19 tabulate votes. An appointment is valid for 11 months ~~from the date of its signing~~
20 unless a different period is expressly provided in the appointment form.

21 **SECTION 2304hd.** 180.0722 (4) (a) (intro.) of the statutes is amended to read:

22 180.0722 (4) (a) (intro.) An appointment of a proxy is revocable ~~by the~~
23 ~~shareholder~~ unless the appointment form ~~conspicuously~~ or electronic transmission
24 states that it is irrevocable and the appointment is coupled with an interest.

1 Appointments coupled with an interest include, but are not limited to, the
2 appointment of any of the following:

3 **SECTION 2304hL.** 180.0722 (7) of the statutes is amended to read:

4 180.0722 (7) Subject to s. 180.0724 and to any express limitation on the proxy's
5 authority ~~appearing on the face of~~ stated in the appointment form or electronic
6 transmission, a corporation may accept the proxy's vote or other action as that of the
7 shareholder making the appointment.

8 **SECTION 2304ho.** 180.0722 (8) (a) of the statutes is amended to read:

9 180.0722 (8) (a) Notwithstanding sub. (4), may be revoked at any time by
10 openly stating the revocation at a shareholder meeting or appointing a new proxy in
11 ~~writing~~ the manner provided under sub. (2) (b).

12 **SECTION 2304jb.** 180.0724 (4) of the statutes is amended to read:

13 180.0724 (4) The corporation and its officer or agent who accepts or rejects a
14 vote, consent, waiver or proxy appointment in good faith and in accordance with this
15 section or s. 180.0722 (2) are not liable in damages to the shareholder for the
16 consequences of the acceptance or rejection.

17 **SECTION 2304jm.** 180.0724 (5) of the statutes is amended to read:

18 180.0724 (5) Corporate action based on the acceptance or rejection of a vote,
19 consent, waiver or proxy appointment under this section or s. 180.0722 (2) is valid
20 unless a court of competent jurisdiction determines otherwise.”.

21 **1306.** Page 1179, line 5: after that line insert:

22 “**SECTION 2307a.** 177.01 (10) of the statutes is renumbered 177.01 (10) (a).

23 **SECTION 2307d.** 177.01 (10) (b) of the statutes is created to read:

1 177.01 (10) (b) “Intangible property” does not include a credit balance issued
2 to a commercial customer account by a business association in the ordinary course
3 of business, unless the credit balance is property described in s. 177.06 (1) or (2) held
4 by a banking organization or financial organization.”.

5 **1307.** Page 1179, line 5: after that line insert:

6 “**SECTION 2305p.** 170.12 (3m) (a) 1. of the statutes is amended to read:

7 170.12 (3m) (a) 1. If the applicant is an individual and has a social security
8 number, the applicant’s social security number.

9 **SECTION 2305r.** 170.12 (3m) (a) 1m. of the statutes is created to read:

10 170.12 (3m) (a) 1m. If the applicant is an individual and does not have a social
11 security number, a statement made or subscribed under oath or affirmation that the
12 applicant does not have a social security number. The form of the statement shall
13 be prescribed by the department of workforce development. A permit issued in
14 reliance upon a false statement submitted under this subdivision is invalid.

15 **SECTION 2305s.** 170.12 (3m) (b) of the statutes is amended to read:

16 170.12 (3m) (b) The board may not disclose any information received under par.
17 (a) 1. or 2. to any person except as follows:

18 1. The board may disclose information under par. (a) 1. or 2. to the department
19 of revenue for the sole purpose of requesting certifications under s. 73.0301.

20 2. The board may disclose information under par. (a) 1. or 2. to the department
21 of workforce development in accordance with a memorandum of understanding
22 under s. 49.857.”.

23 **1308.** Page 1179, line 5: after that line insert:

24 “**SECTION 2305m.** 180.1901 (1m) (bs) of the statutes is created to read:

1 180.1901 **(1m)** (bs) Athletic trainers affiliated credentialing board under
2 subch. VI of ch. 448.”.

3 **1309.** Page 1179, line 19: after that line insert:

4 “**SECTION 2308dm.** 189.02 (7) of the statutes is created to read:

5 189.02 **(7)** At least 14 days before submitting to the public service commission
6 any personnel or budget request that affects any appropriation to the department of
7 transportation, the office shall notify the secretary of the request.”.

8 **1310.** Page 1179, line 19: after that line insert:

9 “**SECTION 2308r.** 186.098 (12) of the statutes is amended to read:

10 186.098 **(12)** LOANS TO MEMBERS. A credit union may make loans to members
11 secured by assignment or transfer of stock certificates or other evidence of the
12 borrower’s ownership interest in a corporation formed for the cooperative ownership
13 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a
14 mortgage involving a one–family residence, apply to a proceeding to enforce the
15 lender’s rights in security given for a loan under this subsection. The office of credit
16 unions shall promulgate joint rules with the ~~divisions of savings and loan~~ division
17 of savings institutions and the division of banking that establish procedures for
18 enforcing a lender’s rights in security given for a loan under this subsection.”.

19 **1311.** Page 1179, line 21: after that line insert:

20 “**SECTION 2309q.** 196.19 (1m) (b) of the statutes is amended to read:

21 196.19 **(1m)** (b) A telecommunications utility may not offer a new
22 telecommunications service to the public without first filing a tariff for that offering
23 with the commission. A proposed tariff offering a new telecommunications service
24 shall be effective on the date specified in the tariff ~~but not earlier than 10 days after~~

1 ~~the date on which the tariff is filed with the commission~~, unless the commission,
2 either upon complaint or upon its own motion, suspends the operation of the new
3 tariff by serving written notice of the suspension on the telecommunications utility
4 within 10 days after the date of filing. The notice shall include a statement of the
5 reason under par. (c) upon which the commission believes the tariff may be modified.

6 **SECTION 2309r.** 196.19 (1m) (e) of the statutes is repealed.”.

7 **1312.** Page 1179, line 21: after that line insert:

8 “**SECTION 2309q.** 196.04 (4) of the statutes is renumbered 196.04 (4) (b) and
9 amended to read:

10 196.04 (4) (b) If the parties cannot agree and the commission finds that public
11 convenience and necessity or the rendition of reasonably adequate service to the
12 public requires that a public utility, telecommunications provider, sewerage system
13 operator or cable operator, ~~as defined in s. 66.082 (2) (b)~~, be permitted to extend its
14 lines on, over or under the right-of-way of any railroad, or requires that the tracks
15 of any railroad be extended on, over or under the right-of-way of any public utility,
16 telecommunications provider, sewerage system operator or cable operator, the
17 commission may order the extension by the public utility, telecommunications
18 provider, sewerage system operator, cable operator or railroad on, over or under the
19 right-of-way of the other if it will not materially impair the ability of the railroad,
20 telecommunications provider, sewerage system operator, cable operator or public
21 utility, on, over or under whose right-of-way the extension would be made, to serve
22 the public. The commission shall prescribe lawful conditions and compensation
23 which the commission deems equitable and reasonable in light of all the
24 circumstances.

1 **SECTION 2309s.** 196.04 (4) (a) of the statutes is created to read:

2 196.04 **(4)** (a) In this subsection:

3 1. “Cable operator” has the meaning given in s. 66.082 (2) (b).

4 2. “Sewerage system operator” means any of the following:

5 a. A municipality that operates a sewerage system under s. 66.076.

6 b. A town sanitary district commission that operates a sewerage system under
7 60.77 (4).

8 c. A city or village that obtains a sewerage system under s. 60.79.

9 d. A metropolitan sewerage district commission that operates a sewerage
10 system under s. 66.24 (2) or 66.89 (1).

11 e. A public inland lake protection and rehabilitation district that exercises the
12 powers of a town sanitary district under s. 33.22 (3) and that operates a sewerage
13 system under s. 60.77 (4).”.

14 **1313.** Page 1179, line 21: after that line insert:

15 “**SECTION 2313m.** 196.208 (5p) of the statutes is created to read:

16 196.208 **(5p)** TOLL-FREE CALLS ANSWERED BY PRISONERS. (a) In this subsection:

17 1. “Charitable organization” has the meaning given in s. 440.41 (1).

18 2. “Prisoner” means a prisoner of any correctional or detention facility located
19 in this state.

20 (b) If a prisoner is employed directly or indirectly by a charitable organization
21 or toll-free service vendor to answer calls made to the charitable organization or
22 toll-free service vendor, the prisoner shall do all of the following immediately upon
23 answering a call:

24 1. Identify himself or herself by name.

2. State that he or she is a prisoner.

3. Inform the calling party of the name of the correctional or detention facility in which he or she is a prisoner and the city in which the facility is located.

(c) A charitable organization or toll-free service vendor that directly or indirectly employs a prisoner shall provide reasonable supervision of the prisoner to assure the prisoner's compliance with par. (b).

SECTION 2313u. 196.208 (11) (d) of the statutes is renumbered 196.208 (11) (d) 1. and amended to read:

196.208 (11) (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates subs. (2) to (9) shall be required to forfeit not less than \$25 nor more than \$5,000 for each offense.

3. Forfeitures under this paragraph subds. 1. and 2. shall be enforced by action on behalf of the state by the department of justice or, upon informing the department of justice, by the district attorney of the county where the violation occurs.

SECTION 2313y. 196.208 (11) (d) 2. of the statutes is created to read:

196.208 (11) (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to forfeit not more than \$500.

b. A person who employs a prisoner to answer calls made to a toll-free telephone number may be required to forfeit not more than \$10,000 if the person violates sub. (5p) (c), aids and abets a prisoner's violation of sub. (5p) (b), is a party to a conspiracy with a prisoner to commit a violation of sub. (5p) (b) or advises, hires or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b).".

1314. Page 1179, line 21: after that line insert:

"SECTION 2315c. 196.025 of the statutes is renumbered 196.025 (1).

1 **SECTION 2315g.** 196.025 (2) of the statutes is created to read:

2 196.025 **(2)** The commission shall promulgate rules establishing requirements
3 and procedures for the commission to carry out the duties under s. 1.11. Rules
4 promulgated under this subsection shall include requirements and procedures for
5 each of the following:

6 (a) Standards for determining the necessity of preparing an environmental
7 impact statement.

8 (b) Adequate opportunities for interested persons to be heard on environmental
9 impact statements, including adequate time for the preparation and submission of
10 comments.

11 (c) Deadlines that allow thorough review of environmental issues without
12 imposing unnecessary delays in addressing the need for additional electric
13 transmission capacity in this state.

14 **SECTION 2315L.** 196.025 (3) of the statutes is created to read:

15 196.025 **(3)** The commission shall promulgate rules establishing requirements
16 and procedures for electric utilities, as defined under s. 196.491 (1) (d), to file reports
17 with the commission, on a frequency that the commission determines is reasonably
18 necessary, on their current reliability status, including the status of operating and
19 planning reserves, available transmission capacity and outages of major operational
20 units and transmission lines. A report filed under the rules promulgated under this
21 subsection is subject to inspection and copying under s. 19.35 (1), except that the
22 commission may withhold the report from inspection and copying for a period of time
23 that the commission determines is reasonably necessary to prevent an adverse
24 impact on the supply or price of energy in this state.

25 **SECTION 2315p.** 196.025 (4) of the statutes is created to read:

1 196.025 (4) (a) In consultation with the department of administration and the
2 department of revenue, the commission shall study the establishment of a program
3 for providing incentives for the development of high-efficiency, small-scale electric
4 generating facilities in this state that do either of the following:

5 1. Provide benefits in the form of support for electric distribution or
6 transmission systems, power quality or environmental performance.

7 2. Employ technologies such as combined heat and power systems, fuel cells,
8 microturbines or photovoltaic systems that may be situated in, on or next to
9 buildings or other electric load centers.

10 (b) No later than January 1, 2001, the commission shall submit a report of its
11 findings and recommendations under par. (a) to the chief clerk of each house of the
12 legislature for distribution to the appropriate standing committees under s. 13.172
13 (3).

14 **SECTION 2315t.** 196.025 (5) of the statutes is created to read:

15 196.025 (5) (ag) In this subsection, “electric cooperative” means a cooperative
16 association organized under ch. 185 for the purpose of generating, distributing or
17 furnishing electric energy at retail or wholesale to its members only.

18 (ar) The commission shall contract with an expert consultant in economics to
19 conduct a study on the potential for horizontal market power, including the
20 horizontal market power of electric generators, to frustrate the creation of an
21 effectively competitive retail electricity market in this state and to make
22 recommendations on measures to eliminate such market power on a sustainable
23 basis. The study shall include each of the following:

24 1. An assessment of the effect of each recommendation on public utility workers
25 and shareholders and electric cooperative workers and members.

1 1m. An assessment of the effect of each recommendation on rates for each class
2 of public utility customers and electric cooperative members.

3 2. An evaluation of the impact of transmission constraints on the market power
4 of electric generators in local areas.

5 (b) No later than January 1, 2001, the commission shall submit a report of the
6 results of the study under par. (ar) to the chief clerk of each house of the legislature
7 for distribution to the appropriate standing committees under s. 13.172 (3).

8 **SECTION 2315x.** 196.192 of the statutes is created to read:

9 **196.192 Market-based compensation, rates and contracts. (1)** In this
10 section, “electric public utility” means a public utility whose purpose is the
11 generation, distribution and sale of electric energy.

12 **(2)** No later than March 1, 2000, each investor-owned electric public utility
13 shall do each of the following:

14 (a) File with the commission rates that result in customers receiving
15 market-based compensation for voluntary interruptions of firm load during peak
16 periods of electric use.

17 (b) File with the commission market-based pricing options and options for
18 individual contracts that allow a retail customer, through service from its existing
19 public utility, to receive market benefits and take market risks for the customer’s
20 purchases of capacity or energy.

21 **(3) (a)** The commission shall approve market-based rates that are consistent
22 with the options specified in sub. (2), except that the commission may not approve
23 a market-based rate unless the commission determines that the rate will not harm
24 shareholders of the investor-owned electric public utility or customers who are not
25 subject to the rate.

1 (b) Nothing in s. 196.20, 196.21, 196.22, 196.37, 196.60 or 196.604 prohibits the
2 commission from approving a filing under sub. (2) or approving market-based rates
3 under par. (a).

4 (4) Subject to any approval of the commission that is necessary, an electric
5 public utility that is not an investor-owned electric public utility may implement
6 market-based rates approved under sub. (3) (a) or implement the options in filings
7 under sub. (2) that are approved by the commission.”.

8 **1315.** Page 1180, line 15: delete “The ~~commission~~” and substitute “The
9 ~~commission~~ Except as provided in s. 196.218 (4t), the”.

10 **1316.** Page 1183, line 20: after that line insert:

11 “**SECTION 2329g.** 196.218 (4t) of the statutes is created to read:

12 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
13 commission, in consultation with the department of administration and the
14 technology for educational achievement in Wisconsin board, shall promulgate rules
15 specifying the telecommunications services eligible for funding through the
16 educational telecommunications access program under s. 44.73.”.

17 **1317.** Page 1184, line 18: after that line insert:

18 “**SECTION 2332n.** 196.218 (5) (a) 10. of the statutes is created to read:

19 196.218 (5) (a) 10. To provide administrative services under the rehabilitation
20 teaching program for blind and visually impaired persons under s. 46.293.”.

21 **1318.** Page 1185, line 19: after that line insert:

22 “**SECTION 2334d.** 196.31 (1) (intro.) of the statutes is amended to read:

23 196.31 (1) (intro.) In any proceeding before the commission, the commission
24 may shall compensate any participant in the proceeding who is not a public utility,

1 for some or all of the reasonable costs of participation in the proceeding if the
2 commission finds that:

3 **SECTION 2334h.** 196.31 (1) (a) of the statutes is amended to read:

4 196.31 **(1)** (a) The participation is necessary to provide for the record an
5 adequate presentation of a significant position in which the participant has a
6 substantial interest, and that an adequate presentation would not be possible occur
7 without a grant of compensation; or

8 **SECTION 2334p.** 196.374 of the statutes is repealed and recreated to read:

9 **196.374 Low-income assistance, energy efficiency and other**
10 **programs. (1)** In this section:

11 (a) “Department” means the department of administration.

12 (b) “Fund” means the utility public benefits fund.

13 (c) “Utility” means a Class A gas or electric utility, as defined by the
14 commission, but does not include a municipal utility, as defined in s. 16.957 (1) (q),
15 a municipal electric company, as defined in s. 66.073 (3) (d), or a cooperative
16 association organized under ch. 185.

17 **(2)** The commission shall determine the amount that each utility spent in 1998
18 on programs for each of the following:

19 (a) Low-income assistance, including low-income weatherization and writing
20 off uncollectibles and arrearages.

21 (b) Energy conservation and efficiency.

22 (c) Environmental research and development.

23 (d) Renewable resources.

24 **(3)** In 2000, 2001 and 2002, the commission shall require each utility to spend
25 a decreasing portion of the amount determined under sub. (2) on programs specified

1 in sub. (2) and contribute the remaining portion of the amount to the commission for
2 deposit in the fund. In each year after 2002, each utility shall contribute the entire
3 amount determined under sub. (2) to the commission for deposit in the fund. The
4 commission shall ensure in rate-making orders that a utility recovers from its
5 ratepayers the amounts spent on programs or contributed to the fund under this
6 subsection. The commission shall allow each utility the option of continuing to use,
7 until January 1, 2002, the moneys that it has recovered under s. 196.374 (3), 1997
8 stats., to administer the programs that it has funded under s. 196.374 (1), 1997 stats.
9 The commission may allow each utility to spend additional moneys on the programs
10 specified in sub. (2) if the utility otherwise complies with the requirements of this
11 section and s. 16.957 (4).

12 (4) If the department notifies the commission under s. 16.957 (2) (b) 2. that the
13 department has reduced funding for energy conservation and efficiency and
14 renewable resource programs by an amount that is greater than the portion of the
15 public benefits fee specified in s. 16.957 (4) (c) 2., the commission shall reduce the
16 amount that utilities are required to spend on programs or contribute to the fund
17 under sub. (3) by the portion of the reduction that exceeds the amount of public
18 benefits fees specified in s. 16.957 (4) (c) 2.

19 **SECTION 2334t.** 196.378 of the statutes is created to read:

20 **196.378 Renewable resources. (1) DEFINITIONS.** In this section:

21 (a) “Biomass” means a resource that derives energy from wood or plant
22 material or residue, biological waste, crops grown for use as a resource or landfill
23 gases. “Biomass” does not include garbage, as defined in s. 289.01 (9), or
24 nonvegetation-based industrial, commercial or household waste, except that

1 “biomass” includes refuse–derived fuel used for a renewable facility that was in
2 service in this state before January 1, 1998.

3 (am) “Biomass cofired facility” means a renewable facility in which biomass
4 and conventional resources are fired together.

5 (b) “Conventional resource” means a resource that derives energy from coal, oil,
6 nuclear power or natural gas, except for natural gas used in a fuel cell.

7 (bm) “Department” means the department of administration.

8 (c) “Electric provider” means an electric utility or retail electric cooperative.

9 (d) “Electric utility” means a public utility that sells electricity at retail. For
10 purposes of this paragraph, a public utility is not considered to sell electricity at
11 retail solely on the basis of its ownership or operation of a retail electric distribution
12 system.

13 (e) “Excludable renewable energy” means the portion of an electric provider’s
14 total renewable energy that is supplied from renewable facilities that were placed
15 in service before January 1, 1998, and that, before January 1, 1998, derived
16 electricity from hydroelectric power, even if the output of the renewable facilities is
17 used to satisfy requirements under federal law.

18 (f) “Nonsystem renewable energy” means the amount of electricity that an
19 electric provider sells to its retail customers or members and that is supplied or
20 allocated under executed wholesale purchase contracts from renewable facilities
21 that are not owned or operated by the electric provider. “Nonsystem renewable
22 energy” does not include any electricity that is not used to satisfy the electric
23 provider’s retail load obligations.

24 (g) “Renewable facility” means an installed and operational electric generating
25 facility in which electricity is derived from a renewable resource. “Renewable

1 facility” includes a facility the installation or operation of which is required under
2 federal law, but does not include a facility the installation or operation of which is
3 required under the laws of another state even if the installation or operation of the
4 facility is also required under federal law.

5 (h) “Renewable resource” means any of the following:

6 1. A resource that derives electricity from any of the following:

7 a. A fuel cell that uses, as determined by the commission, a renewable fuel.

8 b. Tidal or wave action.

9 c. Solar thermal electric or photovoltaic energy.

10 d. Wind power.

11 e. Geothermal technology.

12 g. Biomass.

13 1m. A resource with a capacity of less than 60 megawatts that derives
14 electricity from hydroelectric power.

15 2. Any other resource, except a conventional resource, that the commission
16 designates as a renewable resource in rules promulgated under sub. (4).

17 (i) “Renewable resource credit” means a credit calculated in accordance with
18 rules promulgated under sub. (3) (a).

19 (j) “Resource” means a source of energy used to generate electric power.

20 (k) “Retail electric cooperative” means a cooperative association organized
21 under ch. 185 that sells electricity at retail to its members only. For purposes of this
22 paragraph, a cooperative association is not considered to sell electricity at retail
23 solely on the basis of its ownership or operation of a retail electric distribution
24 system.

1 (n) “System renewable energy” means the amount of electricity that an electric
2 provider sells to its retail customers or members and that is supplied by renewable
3 facilities owned or operated by the electric provider.

4 (o) “Total renewable energy” means the sum of an electric provider’s system and
5 nonsystem renewable energy.

6 **(2) RENEWABLE RESOURCE ENERGY.** (a) Each electric provider shall provide to its
7 retail electric customers or members total renewable energy in at least the following
8 percentages of its total retail electric sales, either directly or through renewable
9 resource credits from another electric provider:

10 1. By December 31, 2001, 0.5%.

11 2. By December 31, 2003, 0.85%.

12 3. By December 31, 2005, 1.2%.

13 4. By December 31, 2007, 1.55%.

14 5. By December 31, 2009, 1.9%.

15 6. By December 31, 2011, 2.2%.

16 (b) For purposes of determining compliance with par. (a):

17 1. Total retail electric sales shall be calculated on the basis of an average of an
18 electric provider’s retail electric sales in this state during the prior 3 years.

19 2. The amount of electricity supplied by a biomass cofired facility that may be
20 counted toward satisfying the requirements of par. (a) shall be an amount equal to
21 the product of the maximum amount of electricity that the facility is capable of
22 generating and the ratio of the energy content of the biomass fuels to the energy
23 content of both the biomass and conventional resources.

1 3. Any excludable renewable energy that exceeds 0.6% of an electric provider's
2 total retail electric sales shall be excluded from the electric provider's total
3 renewable energy.

4 4. The members of a municipal electric company, as defined in s. 66.073 (3) (d),
5 may aggregate and allocate renewable energy among themselves.

6 (c) No later than April 15 annually, an electric provider shall submit a report
7 to the department that describes the electric provider's compliance with par. (a).
8 Reports under this paragraph may include certifications from wholesale suppliers
9 regarding the sources and amounts of energy supplied to an electric provider. The
10 department may specify the documentation that is required to be included with
11 reports submitted under this paragraph.

12 (d) The commission shall allow an electric utility to recover from ratepayers the
13 cost of providing total renewable energy to its retail customers in amounts that equal
14 or exceed the percentages specified in par. (a). Subject to any approval of the
15 commission that is necessary, an electric utility may recover costs under this
16 paragraph by any of the following methods:

17 1. Allocating the costs equally to all customers on a kilowatt-hour basis.

18 2. Establishing alternative price structures, including price structures under
19 which customers pay a premium for renewable energy.

20 3. Any combination of the methods specified in subds. 1. and 2.

21 (e) 1. This subsection does not apply to any of the following:

22 a. An electric provider that provides more than 10% of its summer peak demand
23 in this state from renewable facilities.

24 b. An electric provider that provides more than 10% of its summer peak demand
25 from renewable resources.

1 2. For purposes of calculating the percentages under subd. 1., an electric
2 provider may include renewable facilities located in this or another state and
3 renewable facilities located on its or another electric provider's system.

4 3. Notwithstanding subd. 1., this subsection applies to an electric provider
5 unless the electric provider provides documentation to the commission that
6 establishes, to the satisfaction of the commission, that the electric provider satisfies
7 the requirements under subd. 1. a. or b.

8 **(3) RENEWABLE RESOURCE CREDITS.** (a) An electric provider that provides total
9 renewable energy to its retail electric customers or members in excess of the
10 percentages specified in sub. (2) (a) 1. to 6. may, in the applicable year, sell to any
11 other electric provider a renewable resource credit or a portion of a renewable
12 resource credit at any negotiated price. Alternatively, an electric provider may use
13 a renewable resource credit or portion of a renewable resource credit in a subsequent
14 year to establish compliance with sub. (2) (a). The commission shall promulgate
15 rules that establish requirements for the use of a renewable resource credit,
16 including calculating the amount of a renewable resource credit.

17 (b) The commission may promulgate rules that establish requirements and
18 procedures for a sale under par. (a).

19 **(4) RULES.** The commission may promulgate rules that designate a resource,
20 except for a conventional resource, as a renewable resource in addition to the
21 resources specified in sub. (1) (h) 1. and 1m.

22 **(5) PENALTY.** Any person who violates sub. (2) or any wholesale supplier who
23 provides an electric provider with a false or misleading certification regarding the
24 sources or amounts of energy supplied to the electric provider shall forfeit not less
25 than \$5,000 nor more than \$500,000. Forfeitures under this subsection shall be

1 enforced by action on behalf of the state by the attorney general. A court imposing
2 a forfeiture under this subsection shall consider all of the following in determining
3 the amount of the forfeiture:

4 (a) The appropriateness of the forfeiture to the person's or wholesale supplier's
5 volume of business.

6 (b) The gravity of the violation.

7 (c) Whether a violation of sub. (2) is due to circumstances beyond the violator's
8 control.”.

9 **1319.** Page 1186, line 2: after that line insert:

10 “**SECTION 2336g.** 196.77 of the statutes is amended to read:

11 **196.77 Promotional rates.** Except as provided in this section, nothing in this
12 chapter prohibits a telecommunications utility from filing a tariff to make a limited
13 offering of promotional rates. A promotional rate under this section shall take effect
14 automatically at the time specified in the tariff but not earlier than 10 days after the
15 date the tariff is filed with the commission unless the commission authorizes an
16 earlier effective date or suspends the tariff within 10 days after the date on which
17 it is filed. The commission may suspend a tariff if it believes that the tariff violates
18 s. 196.204, 196.209 or 196.219. If the commission suspends a tariff, it shall
19 investigate and resolve the matter within 60 days after the date on which the tariff
20 is suspended or the tariff shall be effective as filed.”.

21 **1320.** Page 1186, line 2: after that line insert:

22 “**SECTION 2335ta.** 196.485 (title) of the statutes is repealed and recreated to
23 read:

24 **196.485 (title) Transmission system requirements.**

1 **SECTION 2335tb.** 196.485 (1) (am) of the statutes is created to read:

2 196.485 (1) (am) “Contribute a transmission facility” means to divest a person’s
3 interest in the transmission facility and to transfer ownership of the transmission
4 facility, and associated deferred tax reserves and deferred investment tax credits to
5 the extent permitted by law, to another person.

6 **SECTION 2335tc.** 196.485 (1) (be) of the statutes is created to read:

7 196.485 (1) (be) “Director” means, with respect to a transmission company
8 organized as a corporation under ch. 180, a member of the board of directors of the
9 transmission company.

10 **SECTION 2335td.** 196.485 (1) (bs) of the statutes is created to read:

11 196.485 (1) (bs) “Electric utility” means any of the following:

12 1. A public utility that is involved in the generation, transmission, distribution
13 or sale of electric energy.

14 2. A retail or wholesale electric cooperative.

15 **SECTION 2335te.** 196.485 (1) (dm) (intro.) of the statutes is amended to read:

16 196.485 (1) (dm) (intro.) “Independent transmission owner” ~~means:~~

17 1m. Means a person that satisfies each of the following:

18 **SECTION 2335tf.** 196.485 (1) (dm) 1. of the statutes is renumbered 196.485 (1)

19 (dm) 1m. a.

20 **SECTION 2335tg.** 196.485 (1) (dm) 2. of the statutes is created to read:

21 196.485 (1) (dm) 2. Does not include the transmission company.

22 **SECTION 2335th.** 196.485 (1) (dm) 3. of the statutes is renumbered 196.485 (1)

23 (dm) 1m. b. and amended to read:

24 196.485 (1) (dm) 1m. b. The person is not an affiliated interest of a person
25 specified in subd. 1. 1m. a.

1 **SECTION 2335ti.** 196.485 (1) (do) of the statutes is created to read:

2 196.485 (1) (do) “Land right” means any right in real property, including fee
3 simple ownership or a right-of-way or easement, that has been acquired for a
4 transmission facility that is located or intended to be located on the real property.

5 **SECTION 2335tk.** 196.485 (1) (dq) of the statutes is created to read:

6 196.485 (1) (dq) “Manager” means, with respect to a transmission company
7 organized as a limited liability company under ch. 183, the representatives of the
8 security holders that are elected or appointed under sub. (3m) (c).

9 **SECTION 2335tL.** 196.485 (1) (dr) of the statutes is created to read:

10 196.485 (1) (dr) “Merger enforcement policy” means the enforcement policy of
11 the federal department of justice and the federal trade commission regarding
12 horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45.

13 **SECTION 2335tm.** 196.485 (1) (ds) of the statutes is created to read:

14 196.485 (1) (ds) “Midwest independent system operator” means the
15 independent system operator the establishment of which the federal energy
16 regulatory commission has conditionally authorized in an order issued on September
17 16, 1998, or the successor to such independent system operator.

18 **SECTION 2335tn.** 196.485 (1) (dt) of the statutes is created to read:

19 196.485 (1) (dt) “Nontransmission utility security holder” means a security
20 holder that is not a transmission utility security holder.

21 **SECTION 2335to.** 196.485 (1) (dv) of the statutes is created to read:

22 196.485 (1) (dv) “Organizational start-up date” means, with respect to a
23 transmission company that is organized as a limited liability company under ch. 183,
24 the date on which the articles of organization become effective under s. 183.0111 or,
25 with respect to a transmission company that is organized as a corporation under ch.

1 180, the date on which the articles of incorporation become effective under s.
2 180.0123.

3 **SECTION 2335tp.** 196.485 (1) (em) of the statutes is created to read:

4 196.485 (1) (em) “Retail electric cooperative” means a cooperative that provides
5 retail electric service to its members.

6 **SECTION 2335tq.** 196.485 (1) (fe) of the statutes is created to read:

7 196.485 (1) (fe) “Security” means, with respect to a transmission company
8 organized as a corporation under ch. 180, a share, as defined in s. 180.0103 (15), and,
9 with respect to a transmission company organized as a limited liability company
10 under ch. 183, a limited liability company interest, as defined in s. 183.0102 (11).

11 **SECTION 2335tr.** 196.485 (1) (ge) of the statutes is created to read:

12 196.485 (1) (ge) “Transmission company” means a corporation organized under
13 ch. 180 or a limited liability company organized under ch. 183 that has as its sole
14 purpose the planning, constructing, operating, maintaining and expanding of
15 transmission facilities that it owns to provide for an adequate and reliable
16 transmission system that meets the needs of all users that are dependent on the
17 transmission system and that supports effective competition in energy markets
18 without favoring any market participant.

19 **SECTION 2335ts.** 196.485 (1) (gm) of the statutes is created to read:

20 196.485 (1) (gm) “Transmission dependent utility” means an electric utility
21 that is not a transmission utility and that is dependent on the transmission system
22 of another person for delivering electricity to the electric utility’s customers.

23 **SECTION 2335tt.** 196.485 (1) (j) of the statutes is created to read:

24 196.485 (1) (j) “Transmission utility security holder” means a person that is a
25 security holder of a transmission company, is an investor–owned transmission utility

1 in the transmission area and has contributed its transmission facilities to the
2 transmission company.

3 **SECTION 2335ttm.** 196.485 (1) (k) of the statutes is created to read:

4 196.485 **(1)** (k) “Wholesale electric cooperative” means a cooperative that
5 provides wholesale electric service to its members.

6 **SECTION 2335tu.** 196.485 (1m) of the statutes is created to read:

7 196.485 **(1m)** DUTY TO PROVIDE TRANSMISSION SERVICE. (a) The duty of any
8 electric utility that has contributed its transmission facilities to the transmission
9 company to finance, construct, maintain or operate a transmission facility shall
10 terminate on the date, as determined by the commission under sub. (2) (d), that the
11 transmission company begins operations.

12 (b) After beginning operations, the transmission company shall, except for
13 transmission service provided by an electric utility that has not transferred its
14 transmission facilities to the the transmission company, have the exclusive duty to
15 provide transmission service in those areas in which transmission facilities have
16 been contributed. The duty under this paragraph shall terminate on the date, as
17 determined by the commission under sub. (2) (d), that the Midwest independent
18 system operator begins operations.

19 (c) After beginning operations, the Midwest independent system operator
20 shall, except for transmission service provided by an electric utility that has not
21 transferred control over its transmission facilities to the Midwest independent
22 system operator, have the exclusive duty to provide transmission service in the
23 transmission area and shall ensure that each transmission facility in the
24 transmission area that is under its operational control is planned, constructed,
25 operated, maintained and controlled as part of a single transmission system.

1 **SECTION 2335tv.** 196.485 (2) (a) (intro.) of the statutes is amended to read:

2 196.485 **(2)** (a) (intro.) By June 30, 2000, if a transmission utility has not
3 transferred control over its transmission facilities to an independent system
4 operator that is approved by the applicable federal agency or divested, with approval
5 of the applicable federal agency and, for a public utility, the commission, its interest
6 in its transmission facilities to an independent transmission owner, the commission
7 shall, subject to ~~par. pars.~~ (am) and (ar), order the transmission utility to apply to the
8 applicable federal agency to do one of the following:

9 **SECTION 2335tw.** 196.485 (2) (ar) of the statutes is created to read:

10 196.485 **(2)** (ar) The commission shall waive the requirement to issue an order
11 against a transmission utility under par. (a) if the transmission utility shows, to the
12 satisfaction of the commission, that a transfer of its transmission facilities to the
13 Midwest independent system operator may have the effect of jeopardizing the
14 tax-exempt status of the transmission utility or its securities under the Internal
15 Revenue Code. A waiver under this paragraph shall be in effect until the commission
16 determines that the proposed transfer does not have the effect described in this
17 paragraph.

18 **SECTION 2335tx.** 196.485 (2) (bx) of the statutes is created to read:

19 196.485 **(2)** (bx) If the Midwest system operator fails to commence operations
20 or ceases operations, the requirements of this section that apply to the Midwest
21 independent system operator shall apply to any other independent system operator
22 or regional transmission organization that is authorized under federal law to operate
23 in this state. The commission shall require that any transfer of transmission
24 facilities to such independent system operator or regional transmission organization
25 satisfies the requirements of this section.

1 **SECTION 2335ty.** 196.485 (2) (d) of the statutes is created to read:

2 196.485 **(2)** (d) The commission shall determine each of the following:

3 1. The date on which the transmission company begins operations.

4 2. Whether the Midwest independent system operator has begun operations
5 and the date on which such operations have begun.

6 **SECTION 2335tz.** 196.485 (3) (bm) of the statutes is repealed.

7 **SECTION 2335ub.** 196.485 (3m) of the statutes is created to read:

8 196.485 **(3m)** TRANSMISSION COMPANY. (a) *Duties.* 1. The transmission company
9 shall do each of the following:

10 a. Apply for any approval under state or federal law that is necessary for the
11 transmission company to begin operations no later than November 1, 2000.

12 b. Subject to any approval required under state or federal law, contract with
13 each transmission utility that has transferred transmission facilities to the
14 transmission company for the transmission utility to provide reasonable and
15 cost-effective operation and maintenance services to the transmission company
16 during the 3-year period after the transmission company first begins operations.
17 The transmission company and a transmission utility may, subject to any approval
18 required under federal or state law, agree to an extension of such 3-year period.

19 c. Assume the obligations of a transmission utility that has transferred
20 ownership of its transmission facilities to the transmission company under any
21 agreement by the transmission utility to provide transmission service over its
22 transmission facilities or credits for the use of transmission facilities, except that the
23 transmission company may modify such an agreement to the extent allowed under
24 the agreement and to the extent allowed under state or federal law.

1 d. Apply for membership in the Midwest independent system operator as a
2 single zone for pricing purposes that includes the transmission area and, upon a
3 determination by the commission under sub. (2) (d) that the Midwest independent
4 system operator has begun operations, transfer operational control of the
5 transmission company's transmission facilities to the Midwest independent system
6 operator.

7 e. Remain a member of the Midwest independent system operator, or any
8 independent system operator or regional transmission organization that has been
9 approved under federal law to succeed the Midwest independent system operator, for
10 at least the 6-year transition period that is specified in the agreement conditionally
11 approved by the federal energy regulatory commission that establishes the Midwest
12 independent system operator.

13 f. Subject to subd. 4., elect to be included in a single zone for the purpose of any
14 tariff administered by the Midwest independent system operator.

15 2. The transmission company may not do any of the following:

16 a. Sell or transfer its assets to, or merge its assets with, another person, unless
17 the assets are sold, transferred or merged on an integrated basis and in a manner
18 that ensures that the transmission facilities in the transmission area are planned,
19 constructed, operated, maintained and controlled as a single transmission system.

20 b. Bypass the distribution facilities of an electric utility or provide service
21 directly to a retail customer or member.

22 c. Own electric generation facilities or sell, market or broker electric capacity
23 or energy in a relevant wholesale or retail market as determined by the commission,
24 except that, if authorized or required by the federal energy regulatory commission,
25 the transmission company may procure or resell ancillary services obtained from 3rd

1 parties, engage in redispatch activities that are necessary to relieve transmission
2 constraints or operate a control area.

3 3. Notwithstanding subd. 1. a., the transmission company may not begin
4 operations until it provides an opinion to the commission from a nationally
5 recognized investment banking firm that the transmission company is able to
6 finance, at a reasonable cost, its start-up costs, working capital and operating
7 expenses and the cost of any new facilities that are planned.

8 4. If the transmission charges or rates of any transmission utility in the
9 transmission area are 10% or more below the average transmission charges or rates
10 of the transmission utilities in the transmission area on the date, as determined by
11 the commission, that the last public utility affiliate files a commitment with the
12 commission under sub. (5) (a) 2., the transmission company shall, after consulting
13 with each public utility affiliate that has filed a commitment under sub. (5) (a) 2.,
14 prepare a plan for phasing in a combined single zone rate for the purpose of pricing
15 network use by users of the transmission system operated by the Midwest
16 independent system operator and shall seek plan approval by the federal energy
17 regulatory commission and the Midwest independent system operator. A plan under
18 this subdivision shall phase in an average-cost price for the combined single zone in
19 equal increments over a 5-year period, except that, under the plan, transmission
20 service shall be provided to all users of the transmission system on a single-zone
21 basis during the phase-in period.

22 (b) *Powers.* The transmission company may do any of the following:

23 1. Subject to the approval of the commission under s. 196.491 (3), construct and
24 own transmission facilities, including high-voltage transmission lines, as defined in
25 s. 196.491 (1) (f), in the transmission area or in any other area of the state in which

1 transmission facilities that have been contributed to the transmission company are
2 located. This subdivision does not affect the right or duty of an electric utility that
3 is not located in the transmission area or that has not contributed its transmission
4 facilities to the transmission company to construct or own transmission facilities.

5 2. Subject to any approval required under state or federal law, purchase or
6 acquire transmission facilities in addition to the transmission facilities contributed
7 under sub. (5) (b).

8 (c) *Organization.* The operating agreement, as defined in s. 183.0102 (16), of
9 a transmission company that is organized as a limited liability company under ch.
10 183 or the bylaws of a transmission company that is organized as a corporation under
11 ch. 180 shall provide for each of the following:

12 1. That the transmission company has no less than 5 nor more than 14
13 managers or directors, except that the operating agreement or bylaws may allow the
14 requirements of this subdivision to be modified upon a unanimous vote of the
15 managers or directors during the 10–year period after the organizational start–up
16 date or upon a two–thirds vote of the board of directors or managers after such
17 10–year period.

18 2. That at least 4 managers or directors of the transmission company have
19 staggered 4–year terms, are elected by a majority vote of the voting security holders
20 and are not directors, employees or independent contractors of a person engaged in
21 the production, sale, marketing, transmission or distribution of electricity or natural
22 gas or of an affiliate of such a person.

23 3. That, during the 10–year period after the organizational start–up date, each
24 of the following is satisfied, subject to the limitation on the number of managers or
25 directors under subd. 1.:

1 a. Each nontransmission utility security holder that owns 10% or more of the
2 outstanding voting securities of the transmission company may appoint one
3 manager or director of the transmission company for a one-year term, except that
4 the requirements of this subd. 3. a. may be modified upon a unanimous vote of the
5 managers or directors.

6 b. Each group of nontransmission utility security holders that, as a group, owns
7 10% or more of the outstanding voting securities of the transmission company may
8 appoint one manager or director of the transmission company for a one-year term
9 if the group has entered into a written agreement regarding the appointment and the
10 group files the agreement with the transmission company, except that the
11 requirements of this subd. 3. b. may be modified upon a unanimous vote of the
12 managers or directors.

13 bg. Each nontransmission utility security holder that makes an appointment
14 under subd. 3. a. is not allowed to make an appointment under subd. 3. b. as a
15 member of a group of nontransmission utility security holders.

16 br. Each nontransmission utility security holder that makes an appointment
17 as a member of a group under subd. 3. b. is not allowed to make an appointment
18 under subd. 3. a.

19 c. Each person that receives at least 5% of the voting securities of the
20 transmission company under sub. (6) (a) 1. or 3. may appoint one manager or director
21 of the transmission company for a one-year term if the person continues to hold at
22 least a 5% equity interest in the transmission company during the one-year term
23 and if the person does not make an appointment under subd. 3. a., b. or d.

24 d. Each transmission utility security holder may appoint one manager or
25 director of the transmission company for a one-year term.

1 4. That, during the 5–year period after the organizational start–up date, no
2 public utility affiliate that contributes transmission facility assets to the
3 transmission company under sub. (5) (b) and no affiliate of such a public utility
4 affiliate may increase its percentage share of the outstanding securities of the
5 transmission company prior to any initial issuance of securities by the transmission
6 company to any 3rd party other than a 3rd party exercising its right to purchase
7 securities under sub. (6) (a) 3., except that this subdivision does not apply to
8 securities that are issued by the transmission company in exchange for transmission
9 facilities that are contributed in addition to the transmission facilities that are
10 contributed under sub. (5) (b) and except that the requirements of this subdivision
11 may be modified upon a unanimous vote of the managers or directors.

12 5. That, beginning 3 years after the organizational start–up date, any holder
13 of 10% or more of the securities of the transmission company may require the
14 transmission company to comply with any state or federal law that is necessary for
15 the security holder to sell or transfer its shares.

16 (d) *Commission jurisdiction.* The transmission company is subject to the
17 jurisdiction of the commission except to the extent that it is subject to the exclusive
18 jurisdiction of the federal energy regulatory commission.

19 **SECTION 2335ud.** 196.485 (4) (a) (intro.) of the statutes is amended to read:

20 196.485 (4) (a) (intro.) ~~A~~ Except as provided in par. (am), a transmission utility
21 may not transfer control over, or divest its interest in, its transmission facilities to
22 an independent system operator or independent transmission owner unless, to the
23 satisfaction of the commission, each of the following requirements is satisfied:

24 **SECTION 2335uf.** 196.485 (4) (am) of the statutes is created to read:

1 196.485 (4) (am) Each transmission utility in the transmission area that is a
2 public utility shall become a member of the Midwest independent system operator
3 no later than June 30, 2000, and shall transfer operational control over its
4 transmission facilities to the Midwest independent system operator. Each such
5 transmission utility that has not contributed its transmission facilities to the
6 transmission company shall elect to become part of the single zone for pricing
7 purposes within the Midwest independent system operator and any phase-in plan
8 prepared under sub. (3m) (a) 4.

9 **SECTION 2335uh.** 196.485 (5) of the statutes is created to read:

10 196.485 (5) PUBLIC UTILITY AFFILIATES. (a) *Asset cap exception.* Section 196.795
11 (6m) (e) does not apply to the eligible assets of a nonutility affiliate in a holding
12 company system unless each public utility affiliate in the holding company system
13 does each of the following:

14 1. Petitions the commission and the federal energy regulatory commission to
15 approve the transfer of operational control of all the public utility affiliate's
16 transmission facilities in this state and in Iowa, Michigan, Minnesota and Illinois to
17 the Midwest independent system operator.

18 2. Files with the commission an unconditional, irrevocable and binding
19 commitment to contribute, no later than September 30, 2000, all of the transmission
20 facilities that the public utility affiliate owns or operates in this state on the effective
21 date of this subdivision [revisor inserts date], and land rights, to the transmission
22 company. A filing under this subdivision shall specify a date no later than September
23 30, 2000, on which the public utility affiliate will complete the contribution of
24 transmission facilities.

1 3. Files with the commission an unconditional, irrevocable and binding
2 commitment to contribute, and to cause each entity into which it merges or
3 consolidates or to which it transfers substantially all of its assets to contribute, any
4 transmission facility in this state the ownership or control of which it acquires after
5 the effective date of this subdivision [revisor inserts date], and land rights, to the
6 transmission company.

7 4. Notifies the commission in writing that the public utility affiliate has become
8 a member of the Midwest independent system operator, has agreed to transfer its
9 transmission facilities to the Midwest independent system operator and has
10 committed not to withdraw its membership prior to the date on which the public
11 utility affiliate contributes transmission facilities to the transmission company
12 under par. (b).

13 5. Petitions the commission and the federal energy regulatory commission to
14 approve the contributions specified in subds. 2. and 3. and agrees in such a petition
15 not to withdraw the petition in the event that the commission or the federal energy
16 regulatory commission conditions its approval on changes that are consistent with
17 state and federal law.

18 (b) *Contribution of transmission facilities.* 1. A public utility affiliate may not
19 contribute a transmission facility to the transmission company until the commission
20 has reviewed the terms and conditions of the transfer to determine whether the
21 transfer satisfies the requirements of this subsection and has issued an order
22 approving the terms and conditions of the transfer. The commission may modify the
23 terms and conditions of the transfer and take any other action necessary to satisfy
24 the requirements of this subsection. An order under this subdivision that approves
25 or modifies the terms and conditions of a transfer may allow a public utility affiliate

1 to recover in retail rates any adverse tax consequences of the transfer as a transition
2 cost.

3 2. The transmission company and a public utility affiliate that files a
4 commitment to contribute transmission facilities under par. (a) 2. shall structure the
5 transfer of the transmission facilities in a manner that satisfies each of the following:

6 a. The structure of the transfer avoids or minimizes material adverse tax
7 consequences to the public utility affiliate from the transfer and avoids or minimizes
8 material adverse consequences on public utility rates that do not arise out of
9 combining the transmission company's facilities into a single zone in the Midwest
10 independent system operator.

11 b. To the extent practicable, the structure of the transfer satisfies the
12 requirements of the Internal Revenue Service for a tax-free transfer.

13 3. The requirements under subd. 2. b. shall, if practicable, be satisfied by the
14 transmission company's issuance of a preferred class of securities that provides the
15 fixed-cost portion of the resulting capital structure of the transmission company.
16 The transmission company shall issue preferred securities under this subdivision on
17 a basis that does not dilute the voting rights of the initial security holders relative
18 to the value of their initial contributions.

19 4. If the transfer of transmission assets under this paragraph results in a
20 capital structure of the transmission company in which the percentage of common
21 equity is materially higher than that of the public utility affiliates who made the
22 transfer, or if the cost of the fixed-cost portion of the capital structure of the
23 transmission company is materially higher than that of the public utility affiliates
24 who made the transfer, the public utility affiliates shall enter into a contract with the
25 transmission company under which the public utility affiliates agree to accept from

1 the transmission company a return on common equity based upon the equity rate of
2 return approved by the federal energy regulatory commission and upon an imputed
3 capital structure that assigns to a portion of the public utility affiliates' common
4 equity holdings an imputed debt return that is consistent with the requirements of
5 this subdivision. A contract under this subdivision shall specify that the public
6 utility affiliates shall be required to accept the return on common equity described
7 in this subdivision only until such time that the federal energy regulatory
8 commission determines that the actual capital structure and capital costs of the
9 transmission company are appropriate and consistent with industry practice for a
10 regulated public utility that provides electric transmission service in interstate
11 commerce.

12 5. If, at the time that a public utility affiliate files a commitment under par. (a)
13 2., the public utility affiliate has applied for or obtained a certificate of public
14 convenience and necessity under s. 196.491 (3) or a certificate under s. 196.49 for the
15 construction of transmission facilities, the public utility affiliate shall do each of the
16 following:

17 a. Proceed with diligence with respect to obtaining the certificate and, except
18 as provided in subd. 6., constructing the transmission facilities.

19 b. If the commission determines that the cost of the transmission facilities is
20 reasonable and prudent, transfer the transmission facilities to the transmission
21 company at net book value when construction is completed in exchange for additional
22 securities of the transmission company on a basis that is consistent with the
23 securities that were initially issued to the public utility affiliate.

24 6. If the construction of a transmission facility specified in subd. 5. a. is not
25 completed within 3 years after a certificate is issued for the transmission facility

1 under s. 196.49 or 196.491 (3), the transmission company may assume responsibility
2 for completing construction of the transmission facility. If the transmission company
3 assumes responsibility for completing construction under this subdivision, the
4 transmission company shall carry out any obligation under any contract entered into
5 by the public utility with respect to the construction until the contract is modified or
6 rescinded by the transmission company to the extent allowed under the contract.

7 7. Any transmission facilities that are contributed to the transmission
8 company shall be valued at net book value determined on the basis of the regulated
9 books of account at the time of the transfer.

10 (bm) *Lease of transmission facilities.* If a public utility affiliate is not able to
11 contribute its transmission facilities to the transmission company as required under
12 par. (b) due to merger-related accounting requirements, the public utility affiliate
13 shall transfer the transmission facilities to the transmission company under a lease
14 for the period of time during which the accounting requirements are in effect and,
15 after such requirements are no longer in effect, contribute the transmission facilities
16 to the transmission company under par. (b). A public utility affiliate that transfers
17 transmission facilities under a lease under this paragraph does not qualify for the
18 asset cap exception under par. (a) unless, during the term of the lease, the public
19 utility affiliate does not receive any voting interest in the transmission company.

20 (c) *Contribution of land rights.* 1. A public utility affiliate that commits to
21 contributing land rights to the transmission company under par. (a) 2. shall do each
22 of the following:

23 a. Except as provided in subd. 2., if the land right is assigned to a transmission
24 account for rate-making purposes and is not jointly used for electric and gas
25 distribution facilities by the public utility affiliate, the public utility affiliate shall

1 convey or assign at book value all of its interest in the land right to the transmission
2 company, except that any conveyance or assignment under this subd. 1. a. shall be
3 subject to the rights of any joint user of the land right and to the right of the public
4 utility affiliate to nondiscriminatory access to the real estate that is subject to the
5 land right.

6 b. If the land right is jointly used, or is intended to be jointly used, for electric
7 and gas distribution facilities by the public utility affiliate, the public utility affiliate
8 shall enter into a contract with the transmission company that grants the
9 transmission company a right to place, maintain, modify or replace the transmission
10 company's transmission facilities on the real property that is subject to the land right
11 during the life of the transmission facilities and the life of any replacements of the
12 transmission facilities. A right granted in a contract under this subd. 1. b. shall be
13 paramount to the right of any other user of the land right, except that a right granted
14 in such a contract shall be on par with the right of the public utility affiliate to use
15 the land right for electric or gas distribution facilities.

16 2. If a public utility affiliate is prohibited from making a conveyance or
17 assignment described in subd. 1. a., the public utility affiliate shall enter into a
18 contract with the transmission company that grants the transmission company
19 substantially the same rights as under such a conveyance or assignment. For
20 purposes of a contract under this subdivision, a land right shall be valued at book
21 value, not at market value.

22 3. The commission shall resolve any dispute over the contribution of a land
23 right under subd. 1. or 2., including a dispute over the valuation of such a land right,
24 unless a federal agency exercises jurisdiction over the dispute. During the pendency
25 of any dispute that is before the commission or a federal agency, the transmission

1 company shall be entitled to use the land right that is the subject to the dispute and
2 shall be required to pay any compensation that is in dispute into an escrow account.

3 (d) *Applicability.* Notwithstanding sub. (1) (h), and subject to any approval
4 required under federal law, for purposes of this subsection, a facility of a public utility
5 affiliate is a transmission facility if any of the following applies:

6 1. The facility is not a radial facility and the facility is designed for operation
7 at a nominal voltage of more than 130 kilovolts.

8 2. The facility is not a radial facility and the facility is designed for operation
9 at a nominal voltage of more than 50 kilovolts but not more than 130 kilovolts, unless
10 a person has demonstrated to the commission that the facility is not a transmission
11 facility on the basis of factors for identifying a transmission facility that are specified
12 in the orders of the federal energy regulatory commission under 16 USC 824d and
13 824e.

14 3. The facility is a radial facility or is designed for operation at a nominal
15 voltage of 50 kilovolts or less, and a person has demonstrated to the commission that
16 the facility is a transmission facility on the basis of factors for identifying a
17 transmission facility that are specified in the orders of the federal energy regulatory
18 commission under 16 USC 824d and 824e.

19 **SECTION 2335uj.** 196.485 (6) of the statutes is created to read:

20 196.485 (6) ELECTRIC UTILITIES, TRANSMISSION DEPENDENT UTILITIES AND RETAIL
21 ELECTRIC COOPERATIVES. (a) No later than the first day of the 12th month beginning
22 after the first public utility affiliate files a commitment under sub. (5) (a) 2.:

23 1. An electric utility, other than a public utility affiliate or an owner or operator
24 of a wholesale merchant plant, as defined in s. 196.491 (1) (w), may transfer all of its
25 transmission facilities that are specified in subd. 2. to the transmission company on

1 the same terms and conditions as a contribution of transmission facilities and land
2 rights by a public utility affiliate under sub. (5) (b) and (c).

3 2. An electric utility may transfer transmission facilities under subd. 1. if the
4 transmission facilities are located in the geographic area that is served by the
5 Mid–America Interconnected Network, Inc., or the Mid–Continent Area Power Pool
6 reliability council of the North American Electric Reliability Council.

7 3. A transmission–dependent utility or retail electric cooperative may
8 purchase equity interests in the transmission company at a price that is equivalent
9 to net book value and on terms and conditions that are comparable to those for public
10 utility affiliates that have contributed transmission facilities to the transmission
11 company. A purchaser under this subdivision may contribute funds to the
12 transmission company that are no more than the value of its prorated shares based
13 on firm electric usage in this state in 1999.

14 (b) Notwithstanding sub. (1) (h), and subject to any approval required under
15 federal law, for purposes of this subsection, a facility of an electric utility is a
16 transmission facility if the criteria specified in sub. (5) (d) 1., 2. or 3. are satisfied.

17 **SECTION 2335uk.** 196.485 (6m) of the statutes is created to read:

18 196.485 **(6m)** DIVIDENDS, DISTRIBUTIONS, PROFITS AND GAINS. The commission
19 may not treat any dividend or distribution received by a transmission utility from
20 the transmission company or any gain or profit of a transmission utility from the sale
21 or other disposition of securities issued by the transmission company as a credit
22 against the retail revenue requirements of the transmission utility.

23 **SECTION 2335um.** 196.485 (7) of the statutes is created to read:

1 196.485 (7) ENFORCEMENT. A wholesale or retail customer of a public utility
2 affiliate may petition the circuit court for Dane County for specific performance of
3 a commitment filed under sub. (5) (a) 2. or 3.

4 **SECTION 2335uo.** 196.485 (8) of the statutes is created to read:

5 196.485 (8) PENALTIES. A public utility affiliate that fails to complete the
6 contribution of transmission facilities to the transmission company by the
7 completion date specified in the filing under sub. (5) (a) 2. shall forfeit \$25,000 for
8 each day that completion of the contribution is delayed if the transmission company
9 is legally able to accept the contribution.

10 **SECTION 2335uq.** 196.487 of the statutes is created to read:

11 **196.487 Reliability of electric service. (1) DEFINITIONS.** In this section:

12 (a) “Public utility affiliate” has the meaning given in s. 196.795 (1) (L).

13 (b) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

14 **(2) COMMISSION ORDER.** If the commission determines that a public utility
15 affiliate or the transmission company is not making investments in the facilities
16 under its control that are sufficient to ensure reliable electric service, the commission
17 shall order the public utility affiliate or transmission company to make adequate
18 investments in its facilities that are sufficient to ensure reliable electric service. An
19 order under this subsection shall require the public utility affiliate or transmission
20 company to provide security in an amount and form that, to the satisfaction of the
21 commission, is sufficient to ensure that the public utility affiliate or transmission
22 company expeditiously makes any investment that is ordered.

23 **(3) COST RECOVERY.** The commission shall allow a public utility affiliate that is
24 subject to an order under sub. (2) to recover in its retail electric rates the costs that
25 are prudently incurred in complying with the order.

1 **SECTION 2335wb.** 196.491 (3) (d) 3r. of the statutes is created to read:

2 196.491 **(3)** (d) 3r. For a high-voltage transmission line that is proposed to
3 increase the transmission import capability into this state, existing rights-of-way
4 are used to the extent practicable and the routing and design of the high-voltage
5 transmission line minimizes environmental impacts in a manner that is consistent
6 with achieving reasonable electric rates.

7 **SECTION 2335wd.** 196.491 (3) (d) 3t. of the statutes is created to read:

8 196.491 **(3)** (d) 3t. For a high-voltage transmission line that is designed for
9 operation at a nominal voltage of 345 kilovolts or more, the high-voltage
10 transmission line provides usage, service or increased regional reliability benefits to
11 the wholesale and retail customers or members in this state and the benefits of the
12 high-voltage transmission line are reasonable in relation to the cost of the
13 high-voltage transmission line.

14 **SECTION 2335wf.** 196.491 (3) (gm) of the statutes is created to read:

15 196.491 **(3)** (gm) The commission may not approve an application filed after the
16 effective date of this paragraph [revisor inserts date], under this section for a
17 certificate of public convenience and necessity for a high-voltage transmission line
18 that is designed for operation at a nominal voltage of 345 kilovolts or more unless the
19 approval includes the condition that the applicant shall pay the fees specified in sub.
20 (3g) (a). If the commission has approved an application under this section for a
21 certificate of public convenience and necessity for a high-voltage transmission line
22 that is designed for operation at a nominal voltage of 345 kilovolts or more that was
23 filed after April 1, 1999, and before the effective date of this paragraph [revisor
24 inserts date], the commission shall require the applicant to pay the fees specified in
25 sub. (3g) (a). For any application subject to this paragraph, the commission shall

determine the cost of the high-voltage transmission line, identify the counties, towns, villages and cities through which the high-voltage transmission line is routed and allocate the amount of investment associated with the high-voltage transmission line to each such county, town, village and city.

SECTION 2335wh. 196.491 (3g) of the statutes is created to read:

196.491 (3g) FEES FOR CERTAIN HIGH-VOLTAGE TRANSMISSION LINES. (a) A person who receives a certificate of public convenience and necessity for a high-voltage transmission line that is designed for operation at a nominal voltage of 345 kilovolts or more under sub. (3) shall pay the department of administration an annual impact fee as specified in the rules promulgated by the department of administration under s. 16.969 (2) (a) and shall pay the department of administration a one-time environmental impact fee as specified in the rules promulgated by the department of administration under s. 16.969 (2) (b).

(b) A person that pays a fee under par. (a) may not use the payment to offset any other mitigation measure that is required in an order by the commission under sub. (3) regarding the certificate of public convenience and necessity specified in par. (a).

SECTION 2335wj. 196.491 (3m) (b) 2. of the statutes is amended to read:

196.491 (3m) (b) 2. The analytical process specified in subd. 1. b. shall, to the extent practicable, be consistent with the analytical process described in the merger enforcement policy of the federal department of justice and the federal trade commission regarding horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45, as defined in s. 196.485 (1) (dr).

SECTION 2335wL. 196.494 (3) of the statutes is amended to read:

1 196.494 (3) ~~No later than December 31, 2004, the~~ The commission may shall,
2 under this subsection, issue an order requiring the transmission company, as defined
3 in s. 196.485 (1) (ge), or an electric utility to construct or procure, on a competitive
4 basis, the construction of transmission facilities specified by the commission in its
5 order if the commission determines that, ~~based on the results of the study under sub-~~
6 ~~(2),~~ such construction is necessary to relieve a constraint on a transmission system
7 and the construction will materially benefit the customers of the transmission
8 company or electric utility or other electric utilities or of an independent system
9 operator, as defined in s. 196.485 (1) (d), or independent transmission owner, as
10 defined in s. 196.485 (1) (dm).

11 **SECTION 2335wn.** 196.494 (5) of the statutes is created to read:

12 196.494 (5) The governor may, on behalf of this state, enter into an interstate
13 compact that establishes a joint process for the states in the upper midwest region
14 of the United States to determine the need for and siting of regional electric
15 transmission facilities that may affect electric service in this state. The governor
16 may not enter into a compact under this subsection unless the compact includes
17 requirements and procedures for establishing each of the following:

18 (a) Compliance with each state's environmental and siting standards for
19 transmission facilities.

20 (b) A regional need determination for transmission facilities.

21 (c) A mechanism for resolving conflicts between the states regarding the siting
22 of transmission facilities.

23 **SECTION 2335wp.** 196.52 (3) (a) of the statutes is amended to read:

24 196.52 (3) (a) In this subsection, "contract or arrangement" means a contract
25 or arrangement providing for the furnishing of management, supervisory,

1 construction, engineering, accounting, legal, financial or similar services and any
2 contract or arrangement for the purchase, sale, lease or exchange of any property,
3 right, or thing, or for the furnishing of any service, property, right, or thing, other
4 than management, supervisory, construction, engineering, accounting, legal,
5 financial or similar services, but “contract or arrangement” does not include a
6 contract or arrangement under which a transmission utility, as defined in s. 196.485
7 (1) (i), sells or transfers securities, as defined in s. 196.485 (1) (fe), that have been
8 issued by a transmission company, as defined in s. 196.485 (1) (ge). Except as
9 provided under par. (b), unless and until the commission gives its written approval,
10 any contract or arrangement is not valid or effective if the contract or arrangement
11 is made between a public utility and an affiliated interest after June 7, 1931. Every
12 public utility shall file with the commission a verified copy of any contract or
13 arrangement, a verified summary of any unwritten contract or arrangement, and
14 any contract or arrangement, written or unwritten, which was in effect on June 7,
15 1931. The commission shall approve a contract or arrangement made or entered into
16 after June 7, 1931, only if it shall clearly appear and be established upon
17 investigation that it is reasonable and consistent with the public interest. The
18 commission may not approve any contract or arrangement unless satisfactory proof
19 is submitted to the commission of the cost to the affiliated interest of rendering the
20 services or of furnishing the property or service to each public utility or of the cost
21 to the public utility of rendering the services or of furnishing the property or service
22 to each affiliated interest. No proof is satisfactory under this paragraph unless it
23 includes the original (or verified copies) of the relevant cost records and other
24 relevant accounts of the affiliated interest, or an abstract of the records and accounts
25 or a summary taken from the records and accounts if the commission deems the

1 abstract or summary adequate. The accounts shall be properly identified and duly
2 authenticated. The commission, where reasonable, may approve or disapprove a
3 contract or arrangement without submission of the cost records or accounts.

4 **SECTION 2335ya.** 196.795 (1) (g) 1. of the statutes is amended to read:

5 196.795 (1) (g) 1. As a beneficial owner, to take, hold or acquire 5% or more of
6 the outstanding voting securities of a public utility, other than a transmission
7 company, with the unconditional power to vote those securities.

8 **SECTION 2335yb.** 196.795 (1) (g) 2. of the statutes is amended to read:

9 196.795 (1) (g) 2. To exchange or convert 50% or more of the outstanding voting
10 securities of a public utility, other than a municipality or other political subdivision
11 or a transmission company, for or into the voting securities of a company organized,
12 created, appointed or formed by or at the direction of the public utility or of a
13 subsidiary of such company.

14 **SECTION 2335yc.** 196.795 (1) (h) 3. of the statutes is created to read:

15 196.795 (1) (h) 3. “Holding company” does not include a transmission company.

16 **SECTION 2335yd.** 196.795 (1) (p) of the statutes is created to read:

17 196.795 (1) (p) “Transmission company” has the meaning given in s. 196.485
18 (1) (ge).

19 **SECTION 2335ye.** 196.795 (5) (i) 1. of the statutes is amended to read:

20 196.795 (5) (i) 1. Shall consider the public utility affiliate as a wholly
21 independent corporation and shall impute a capital structure to the public utility
22 affiliate and establish a cost of capital for the public utility affiliate on a stand-alone
23 basis;

24 **SECTION 2335yf.** 196.795 (5) (p) 1., 2., 3. and 4. of the statutes are renumbered

25 196.795 (6m) (b) 1., 2., 3. and 4.

1 **SECTION 2335yg.** 196.795 (5) (pm) 1. (intro.) of the statutes is repealed.

2 **SECTION 2335yh.** 196.795 (5) (pm) 1. a. of the statutes is renumbered 196.795
3 (6m) (a) 3.

4 **SECTION 2335yi.** 196.795 (5) (pm) 1. b. of the statutes is renumbered 196.795
5 (6m) (a) 5.

6 **SECTION 2335yj.** 196.795 (5) (pm) 1. c. of the statutes is renumbered 196.795
7 (6m) (a) 6.

8 **SECTION 2335yk.** 196.795 (5) (pm) 2. of the statutes is renumbered 196.795
9 (6m) (c) and amended to read:

10 196.795 **(6m)** (c) Wholesale merchant plants. The assets of a wholesale
11 merchant plant shall not be included in the sum of the assets of a public utility
12 affiliate under par. (p) (b) 1. a., b. or c. and shall not be included in a nonutility
13 affiliate's total assets under par. (p) (b) 2. a. if the requirements specified in s. 196.491
14 (3m) (a) 1. and 2. are satisfied or if the wholesale merchant plant qualifies for the
15 exemption under s. 196.491 (3m) (e).

16 **SECTION 2335yL.** 196.795 (5) (pm) 3. of the statutes is renumbered 196.795
17 (6m) (d) and amended to read:

18 196.795 **(6m)** (d) Foreign affiliates. The assets of a foreign affiliate shall be
19 included in the sum of the assets of a public utility affiliate under par. (p) (b) 1. a.,
20 b. or c. and shall not be included in a nonutility affiliate's total assets under par. (p)
21 (b) 2. a.

22 **SECTION 2335ym.** 196.795 (6m) (title) of the statutes is created to read:

23 196.795 **(6m)** (title) ASSET CAP.

24 **SECTION 2335yn.** 196.795 (6m) (a) (intro.) of the statutes is created to read:

25 196.795 **(6m)** (a) Definitions. (intro.) In this subsection:

1 **SECTION 2335yo.** 196.795 (6m) (a) 1. of the statutes is created to read:

2 196.795 **(6m)** (a) 1. “Contributor public utility affiliate” means a public utility
3 affiliate that has contributed its transmission facilities to the transmission company
4 under s. 196.485 (5) (b).

5 **SECTION 2335yp.** 196.795 (6m) (a) 2. of the statutes is created to read:

6 196.795 **(6m)** (a) 2. “Eligible asset” means an asset of a nonutility affiliate that
7 is used for any of the following:

8 a. Producing, generating, transmitting, delivering, selling or furnishing gas,
9 oil, electricity or steam energy.

10 b. Providing an energy management, conservation or efficiency product or
11 service or a demand–side management product or service.

12 c. Providing an energy customer service, including metering or billing.

13 d. Recovering or producing energy from waste materials.

14 e. Processing waste materials.

15 f. Manufacturing, distributing or selling products for filtration, pumping water
16 or other fluids, processing or heating water, handling fluids or other related
17 activities.

18 g. Providing a telecommunications service, as defined in s. 196.01 (9m).

19 h. Providing an environmental engineering service.

20 **SECTION 2335yq.** 196.795 (6m) (a) 4. of the statutes is created to read:

21 196.795 **(6m)** (a) 4. “Generation assets” means assets that are classified as
22 electric generation assets on the books of account of a public utility, as determined
23 by the commission.

24 **SECTION 2335yr.** 196.795 (6m) (b) (title) of the statutes is created to read:

25 196.795 **(6m)** (b) *In general.*

1 **SECTION 2335ys.** 196.795 (6m) (e) of the statutes is created to read:

2 196.795 **(6m)** (e) *Contributor public utility affiliates.* 1. The eligible assets of
3 a nonutility affiliate in a holding company system that includes each of the
4 contributor public utility affiliates in the holding company system shall not be
5 included in the sum of the assets of the public utility affiliates under par. (b) 1. a.,
6 b. or c. and shall not be included in the nonutility affiliate's total assets under par.
7 (b) 2. a.

8 2. For purposes of subd. 1., all of the assets of a nonutility affiliate shall be
9 considered eligible assets if each of the following is satisfied:

10 a. The bylaws of the nonutility affiliate or a resolution adopted by its board of
11 directors specifies that the business of the nonutility affiliate is limited to activities
12 involving eligible assets.

13 b. Substantially all of the assets of the nonutility affiliate are eligible assets.

14 3. The net book value of transmission facility assets that a contributor public
15 utility affiliate has contributed to a transmission company under s. 196.485 (5) (b)
16 shall be included in the sum of the assets of the public utility affiliate under par. (b)
17 1. a., b. and c. In determining net book value under this subdivision, accumulated
18 depreciation shall be calculated as if the contributor public utility affiliate had not
19 contributed the assets.

20 4. The net book value of generation assets that a contributor public utility
21 affiliate has transferred to a person that is not affiliated with the public utility
22 affiliate pursuant to the order of the commission, a court or a federal regulatory
23 agency shall be included in the sum of the assets of the public utility affiliate under
24 par. (b) 1. a., b. and c. In determining net book value under this subdivision,

1 accumulated depreciation shall be calculated as if the contributor public utility
2 affiliate had not transferred the assets.

3 **SECTION 2335ysm.** 196.795 (7) (a) (intro.) of the statutes is amended to read:

4 196.795 (7) (a) (intro.) No sooner than the first day of the 36th month after the
5 formation of a holding company and at least once every 3 years thereafter, the
6 commission shall investigate the impact of the operation of every holding company
7 system formed on or after November 28, 1985, on every public utility affiliate in the
8 holding company system and shall determine whether each nonutility affiliate,
9 except for the nonutility affiliates of a holding company that were affiliates of a
10 holding company that was formed before November 28, 1985, does, or can reasonably
11 be expected to do, at least one of the following:

12 **SECTION 2335yt.** 196.795 (11) (b) of the statutes is amended to read:

13 196.795 (11) (b) This section shall be deemed to legalize and confirm the
14 formation, prior to November 28, 1985, of any holding company, which is not itself
15 a public utility, and shall be deemed to legalize and confirm the operations and
16 issuances of securities of the holding company, except that nothing in this section
17 shall be deemed to prevent the commission from imposing reasonable terms,
18 limitations or conditions on any holding company which are consistent with the
19 requirements of sub. (5) ~~(pm)~~ (6m) (c) or (d) or which are consistent with and
20 necessary to satisfy the requirements of sub. (5) (b) to (o) and (q) to (s) or which relate
21 to future investments by the holding company unless the holding company owns,
22 operates, manages or controls a telecommunications utility and does not also own,
23 operate, manage or control a public utility which is not a telecommunications utility.

24 **SECTION 2335yu.** 196.795 (11) (c) of the statutes is created to read:

1 196.795 **(11)** (c) The commission may not impose upon a holding company the
2 formation of which is considered to be legalized and confirmed under par. (b) any
3 term, limitation or condition under par. (b) that establishes the sum of the holding
4 company's nonutility affiliate assets at less than 25% of the sum of the holding
5 company's utility affiliate assets. For purposes of this paragraph, any term,
6 limitation or condition on nonutility affiliate assets shall not apply to the ownership,
7 operation, management or control of any eligible asset, as defined under sub. (6m)
8 (a) 2.

9 **SECTION 2335yum.** 196.796 of the statutes is created to read:

10 **196.796 Real estate activities. (1)** In this section:

11 (a) "Brownfields facility or site" means any abandoned, idle or underused
12 industrial or commercial facility or site, the use, expansion or redevelopment of
13 which is adversely affected by actual environmental contamination.

14 (b) 1. "Commercial construction" means the act of building any structure, or
15 that part of any structure, that is not used as a home, residence or sleeping place by
16 one or more persons maintaining a common household to the exclusion of all others.

17 2. "Commercial construction" does not include any of the following:

18 a. Any repair, maintenance, installation or construction of a structure owned
19 or used by or for a public utility, or for a customer of a public utility, if the repair,
20 maintenance, installation or construction is related to furnishing heat, light, water
21 or power to the customer.

22 b. Any construction related to the evaluation, control or remediation of
23 hazardous substances; solid, liquid or gaseous wastes; soils; air; or water.

24 c. Any construction performed in order to comply with federal, state or local
25 environmental laws, regulations, orders or rules.

1 (c) “Economic development” means development that is designed to promote
2 job growth or retention, expand the property tax base or improve the overall
3 economic vitality of a municipality, as defined in s. 30.01 (4), or region.

4 (d) “Engage” means to actively participate in the daily operations or daily
5 business decisions of an entity. “Engage” does not include taking an action necessary
6 to protect an ownership interest in an entity.

7 (dg) “Entity” has the meaning given in s. 180.0103 (8).

8 (dr) “Financial support” includes investments, loans and grants.

9 (e) “Holding company system” has the meaning given in s. 196.795 (1) (i).

10 (f) “Improvements” means any valuable addition made to land, including
11 excavations, gradings, foundations, structures, buildings, streets, parking lots,
12 sidewalks, sewers, septic systems and drainage facilities. “Improvements” does not
13 include any repair, maintenance, installation or construction of structures or
14 facilities owned or used by or for a public utility, or by or for a customer of a public
15 utility, if the repair, maintenance, installation or construction is related to furnishing
16 heat, light, water or power to the customer.

17 (g) “Nonutility affiliate” means a subsidiary of a public utility or a company in
18 a holding company system that is not a public utility. “Nonutility affiliate” does not
19 include a passively held company.

20 (gm) “Passively held company” means an entity that satisfies each of the
21 following:

22 1. Less than 50% of the ownership interest of the entity is directly or indirectly
23 owned in any chain of successive ownership by a public utility or nonutility affiliate.

1 2. The entity engages in property management for a 3rd party, real estate
2 practice, residential real estate development or residential or commercial
3 construction.

4 (h) “Property management” means any activity associated with the care or
5 maintenance of land or improvements, including business planning and budgeting,
6 accounting, lease administration, tenant relations and retention, security,
7 maintenance of common areas, rent collections, financial reporting, service contract
8 administration and inspections.

9 (hm) “Public utility” means every corporation, company, individual or
10 association and their lessees, trustees or receivers appointed by any court or state
11 or federal agency, that may own, operate, manage or control all or any part of a plant
12 or equipment, within the state, for the production, transmission, delivery or
13 furnishing of electricity directly to or for the public, except that “public utility” does
14 not include any municipal utility or municipal electric company, as defined in s.
15 66.073 (3) (d), or any cooperative association organized under ch. 185 for the purpose
16 of producing or furnishing heat, light, power or water to its members only.

17 (i) “Real estate practice” has the meaning given in s. 452.01 (6).

18 (j) “Residential construction” means the act of building any structure, or that
19 part of any structure that is used as a home, residence or sleeping place by one or
20 more persons maintaining a common household to the exclusion of all others.

21 (k) “Residential real estate development” means the act of dividing or
22 subdividing any parcel of land for residential construction or making improvements
23 to facilitate or allow residential construction.

24 (L) “Third party” means any person other than a public utility or nonutility
25 affiliate.

1 **(2) PROHIBITED ACTIVITIES.** Except as provided in sub. (4), a public utility or
2 nonutility affiliate may not do any of the following in this state:

3 (a) Engage in real estate practice.

4 (b) Engage in residential real estate development.

5 (c) Engage in property management for a 3rd party.

6 (d) Engage in residential or commercial construction.

7 **(3) PERMITTED ACTIVITIES.** (a) Subsection (2) does not prohibit a public utility
8 or nonutility affiliate from doing any of the following:

9 1. Repairing, maintaining, installing or constructing a structure that is owned
10 or used by or for a public utility or nonutility affiliate, or for a customer of a public
11 utility if the repair, maintenance, installation or construction is related to furnishing
12 heat, light, water or power to the customer.

13 2. Engaging in construction that is specifically related to the evaluation,
14 control or remediation of hazardous substances; solid, liquid or gaseous wastes; soils;
15 air; or water.

16 3. Engaging in construction that is performed in order to comply with federal,
17 state or local environmental laws, regulations, orders or rules.

18 4. Consulting or making other financial or business arrangements with one or
19 more 3rd parties who will engage in commercial construction.

20 5. Consulting or making other financial or business arrangements with one or
21 more 3rd parties who will engage in residential construction or residential real
22 estate development, except that if a public utility or nonutility affiliate contracts for
23 the development of more than one residential construction project or residential real
24 estate development, the public utility or nonutility affiliate may not enter into an

1 exclusive arrangement with a 3rd party for all such residential construction or
2 residential real estate development.

3 6. Acquiring or disposing of property or interests in property if the acquisition
4 or disposition is related to the operation of a public utility and the acquisition or
5 disposition satisfies one of the following:

6 a. The acquisition or disposition is conducted under a contract with a 3rd party
7 that is engaged in real estate practice.

8 b. The acquisition or disposition is conducted by an individual engaged in real
9 estate practice or employed by a public utility.

10 7. Owning a passively held company.

11 (b) Subsection (2) does not prohibit a public utility that is not subject to the
12 requirements of s. 196.795, or the nonutility subsidiary of such a public utility, from
13 doing any of the following:

14 1. Engaging in commercial or residential real estate development or
15 construction on property owned or acquired by the public utility or nonutility
16 subsidiary for a public utility purpose if the total annual revenues from the
17 development or construction do not exceed 3% of the total operating revenues of the
18 public utility in any year.

19 2. Providing financial support for the purpose of economic development to 3rd
20 parties that are engaged in an activity specified in sub. (2) (a) to (d). The public utility
21 or nonutility subsidiary may profit directly from that activity only through receipt
22 of profits that are incidental to the economic development project or interest earned
23 on a loan.

24 **(4) EXCEPTIONS.** (a) A nonutility affiliate that has engaged in residential
25 construction prior to, or is engaged in residential construction on, the effective date

1 of this paragraph [revisor inserts date], may directly or indirectly own in any
2 chain of successive ownership 50% or more of the ownership interest of an entity that
3 hires a 3rd party to engage in residential construction or commercial construction
4 that is incidental to residential construction, except that the nonutility affiliate may
5 not actively participate in the daily operations or daily business decisions of the
6 entity.

7 (b) A public utility or nonutility affiliate may engage in residential real estate
8 development at a brownfields facility or site.

9 **(5) PRIVATE CAUSE OF ACTION.** Any public utility or nonutility affiliate that does,
10 causes or permits to be done any action prohibited under this section or fails to
11 comply with any requirement specified in this section is liable to any person injured
12 thereby in the amount of damages sustained in consequence of the prohibited action
13 or failure to comply.

14 **SECTION 2335z.** 196.807 of the statutes is created to read:

15 **196.807 Energy affiliate and utility employees. (1) DEFINITIONS.** In this
16 section:

17 (a) “Affiliate or utility” means a nonutility affiliate, holding company system,
18 public utility or cooperative association organized under ch. 185.

19 (b) “Energy unit” means a unit in this state that is engaged in activities related
20 to the production, generation, transmission or distribution of electricity, gas or steam
21 or the recovery of energy from waste materials.

22 (c) “Holding company system” has the meaning given in s. 196.795 (1) (i).

23 (d) “Nonutility affiliate” has the meaning given in s. 196.795 (1) (j).

24 (e) “Public utility affiliate” has the meaning given in s. 196.795 (1) (L).

1 (f) “Sell an energy unit” means to sell, offer by lease, or otherwise transfer
2 ownership or control of the energy unit.

3 (fg) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

4 (fr) “Transmission utility” has the meaning given in s. 196.485 (1) (i).

5 (g) “Unit” means a division, department or other operational business unit of
6 an affiliate or utility.

7 **(2) OFFER OF EMPLOYMENT.** (a) Except as provided in par. (b), a person may not
8 sell an energy unit unless the terms of the transfer require the person to which the
9 energy unit is transferred to offer employment to the nonsupervisory employees who
10 are employed with the energy unit immediately prior to the transfer and who are
11 necessary for the operation and maintenance of the energy unit.

12 (b) 1. A public utility affiliate may not sell an energy unit to a nonutility affiliate
13 in the same holding company system unless the terms of the transfer require the
14 nonutility affiliate to offer employment to all of the nonsupervisory employees who are
15 employed with the energy unit immediately prior to the transfer.

16 2. A transmission company to which an energy unit is sold by a transmission
17 utility shall, beginning on the expiration of the 3–year period specified in s. 196.485
18 (3m) (a) 1. b. or, if applicable, the expiration of any extension of such 3–year period,
19 offer employment to the nonsupervisory employees who are employed with the energy
20 unit immediately prior to the transfer and who are necessary for the operation and
21 maintenance of the energy unit.

22 **(3) EMPLOYMENT TERMS AND CONDITIONS.** (a) Except as provided in par. (b), the
23 employment that is offered under sub. (2) shall satisfy each of the following during
24 the 30–month period beginning immediately after the transfer:

1. Wage rates shall be no less than the wage rates in effect immediately prior to the transfer.

2. Fringe benefits shall be substantially equivalent to the fringe benefits in effect immediately prior to the transfer.

3. Terms and conditions of employment, other than wage rates and fringe benefits, shall be substantially equivalent to the terms and conditions in effect immediately prior to the transfer.

(b) A collective bargaining agreement may modify or waive a requirement specified in par. (a).

(4) COMMISSION APPROVAL. Except for a cooperative association, as defined in s. 196.491 (1) (bm), or a transmission utility that sells an energy unit to a transmission company, no person may sell an energy unit unless the commission determines that the person has satisfied subs. (2) and (3).”.

1321. Page 1186, line 9: after that line insert:

“SECTION 2337a. 214.01 (1) (im) of the statutes is amended to read:

214.01 (1) (im) "Division" means the division of savings and loan institutions.

SECTION 2338a. 214.592 of the statutes is amended to read:

214.592 Financially related services tie-ins. In any transaction conducted by a savings bank, a savings bank holding company or a subsidiary of either with a customer who is also a customer of any other subsidiary of any of them, the customer shall be given a notice in 12-point boldface type in substantially the following form:

NOTICE OF RELATIONSHIP

This company, (insert name and address of savings bank, savings bank holding company or subsidiary), is related to (insert name and address of savings

1 bank, savings bank holding company or subsidiary) of which you are also a customer.
2 You may not be compelled to buy any product or service from either of the above
3 companies or any other related company in order to participate in this transaction.

4 If you feel that you have been compelled to buy any product or service from
5 either of the above companies or any other related company in order to participate
6 in this transaction, you should contact the management of either of the above
7 companies at either of the above addresses or the division of savings and loan
8 institutions at (insert address).

9 **SECTION 2339a.** 215.01 (6) of the statutes is amended to read:

10 215.01 (6) “Division” means the division of savings and loan institutions.

11 **SECTION 2340a.** 215.02 (title) of the statutes is amended to read:

12 **215.02 (title) Division of savings and loan institutions.**

13 **SECTION 2341a.** 215.141 of the statutes is amended to read:

14 **215.141 Financially related services tie-ins.** In any transaction conducted
15 by an association, a savings and loan holding company or a subsidiary of either with
16 a customer who is also a customer of any other subsidiary of any of them, the
17 customer shall be given a notice in 12–point boldface type in substantially the
18 following form:

19 NOTICE OF RELATIONSHIP

20 This company, (insert name and address of association, savings and loan
21 holding company or subsidiary), is related to (insert name and address of
22 association, savings and loan holding company or subsidiary) of which you are also
23 a customer. You may not be compelled to buy any product or service from either of
24 the above companies or any other related company in order to participate in this
25 transaction.

1 If you feel that you have been compelled to buy any product or service from
2 either of the above companies or any other related company in order to participate
3 in this transaction, you should contact the management of either of the above
4 companies at either of the above addresses or the division of savings and loan
5 institutions at (insert address).”.

6 **1322.** Page 1186, line 9: after that line insert:

7 “**SECTION 2336q.** 196.856 of the statutes is created to read:

8 **196.856 Assessment for stray voltage research. (1)** In this section,
9 “electric cooperative” means a cooperative association organized under ch. 185 for
10 the purpose of generating, distributing or furnishing electric energy at retail or
11 wholesale to its members only.

12 **(2)** The commission shall assess annually 91% of the amount appropriated
13 under s. 20.155 (1) (jm) to public utilities that produce electricity in proportion to
14 their respective electric gross operating revenues during the last calendar year,
15 derived from intrastate operations. The commission shall assess annually 9% of the
16 amount appropriated under s. 20.155 (1) (jm) to electric cooperatives in proportion
17 to their gross operating revenues during the last calendar year, derived from
18 intrastate operations. The amounts received under this section shall be credited to
19 the appropriation account under s. 20.155 (1) (jm). A public utility or electric
20 cooperative shall pay the total amount that it is assessed under this subsection
21 within 30 days after it receives a bill for that amount from the commission. The bill
22 constitutes notice of the assessment and demand of payment.”.

23 **1323.** Page 1186, line 9: after that line insert:

24 “**SECTION 2341b.** 217.05 (1m) (a) (intro.) of the statutes is amended to read:

1 217.05 **(1m)** (a) (intro.) In addition to the information required under sub. (1)
2 and except as provided in par. (c), the application shall contain the following:

3 **SECTION 2341d.** 217.05 (1m) (c) of the statutes is created to read:

4 217.05 **(1m)** (c) 1. If an applicant who is an individual does not have a social
5 security number, the applicant, as a condition of applying for or applying to renew
6 a license, shall submit a statement made or subscribed under oath or affirmation to
7 the division that the applicant does not have a social security number. The form of
8 the statement shall be prescribed by the department of workforce development.

9 2. Notwithstanding s. 217.09 (7), any license issued or renewed in reliance upon
10 a false statement submitted by an applicant under subd. 1 is invalid.

11 **SECTION 2341f.** 217.06 (4) of the statutes is amended to read:

12 217.06 **(4)** The applicant has provided the all information required under s.
13 217.05 (1m) (a).

14 **SECTION 2341h.** 218.01 (2) (ie) 1. of the statutes is amended to read:

15 218.01 **(2)** (ie) 1. In addition to any other information required under this
16 subsection and except as provided in subd. 3., an application by an individual for the
17 issuance or renewal of a license described in par. (d) shall include the individual's
18 social security number and an application by a person who is not an individual for
19 the issuance or renewal of a license described in par. (d) 1., 2., 3. or 5. shall include
20 the person's federal employer identification number. The licensor may not disclose
21 any information received under this subdivision to any person except the
22 department of industry, labor and job development [department of workforce
23 development] for purposes of administering s. 49.22 or the department of revenue for
24 the sole purpose of requesting certifications under s. 73.0301.

25 **SECTION 2341j.** 218.01 (2) (ie) 3. of the statutes is created to read:

1 218.01 **(2)** (ie) 3. If an applicant for the issuance or renewal of a license
2 described in par. (d) is an individual who does not have a social security number, the
3 applicant, as a condition of applying for or applying to renew the license, shall submit
4 a statement made or subscribed under oath or affirmation to the licensor that the
5 applicant does not have a social security number. The form of the statement shall
6 be prescribed by the department of workforce development. Any license issued or
7 renewed in reliance upon a false statement submitted by an applicant under this
8 subdivision is invalid.

9 **SECTION 2341L.** 218.01 (2) (ig) 1. (intro.) of the statutes is amended to read:

10 218.01 **(2)** (ig) 1. (intro.) In addition to any other information required under
11 this subsection and except as provided in subd. 3., an application for a license
12 described in par. (dr) shall include the following:

13 **SECTION 2341n.** 218.01 (2) (ig) 3. of the statutes is created to read:

14 218.01 **(2)** (ig) 3. If an applicant for the issuance or renewal of a license
15 described in par. (dr) is an individual who does not have a social security number, the
16 applicant, as a condition of applying for or applying to renew the license, shall submit
17 a statement made or subscribed under oath or affirmation to the licensor that the
18 applicant does not have a social security number. The form of the statement shall
19 be prescribed by the department of workforce development. Any license issued or
20 renewed in reliance upon a false statement submitted by an applicant under this
21 subdivision is invalid.

22 **SECTION 2341p.** 218.01 (3) (am) 1. a. of the statutes is amended to read:

23 218.01 **(3)** (am) 1. a. The applicant fails to provide the any information required
24 under sub. (2) (ig) 1.

25 **SECTION 2342b.** 218.02 (2) (a) 1. (intro.) of the statutes is amended to read:

1 218.02 (2) (a) 1. (intro.) Each adjustment service company shall apply to the
2 division for a license to engage in such business. Application for a separate license
3 for each office of a company to be operated under this section shall be made to the
4 division in writing, under oath, in a form to be prescribed by the division. The
5 division may issue more than one license to the same licensee. ~~An~~ Except as provided
6 in subd. 3., an application for a license under this section shall include the following:

7 **SECTION 2342bb.** 218.02 (2) (a) 3. of the statutes is created to read:

8 218.02 (2) (a) 3. If an applicant who is an individual does not have a social
9 security number, the applicant, as a condition of applying for or applying to renew
10 a license under this section, shall submit a statement made or subscribed under oath
11 or affirmation to the division that the applicant does not have a social security
12 number. The form of the statement shall be prescribed by the department of
13 workforce development. Any license issued or renewed in reliance upon a false
14 statement submitted by an applicant under this subdivision is invalid.

15 **SECTION 2342bd.** 218.04 (3) (a) 1. (intro.) of the statutes is amended to read:

16 218.04 (3) (a) 1. (intro.) Application for licenses under the provisions of this
17 section shall be made to the division in writing, under oath, on a form to be prescribed
18 by the division. All licenses shall expire on June 30 next following their date of issue.
19 ~~An~~ Except as provided in subd. 3., an application for a license under this section shall
20 include the following:

21 **SECTION 2342bf.** 218.04 (3) (a) 3. of the statutes is created to read:

22 218.04 (3) (a) 3. If an applicant who is an individual does not have a social
23 security number, the applicant, as a condition of applying for or applying to renew
24 a license under this section, shall submit a statement made or subscribed under oath
25 or affirmation to the division that the applicant does not have a social security

1 number. The form of the statement shall be prescribed by the department of
2 workforce development. Any license issued or renewed in reliance upon a false
3 statement submitted by an applicant under this subdivision is invalid.

4 **SECTION 2342bh.** 218.04 (4) (am) 1. of the statutes is amended to read:

5 218.04 (4) (am) 1. The applicant fails to provide the any information required
6 under sub. (3) (a) 1.

7 **SECTION 2342bj.** 218.05 (3) (am) 1. (intro.) of the statutes is amended to read:

8 218.05 (3) (am) 1. (intro.) In addition to the information required under par.
9 (a) and except as provided in subd. 3., an application for a license under this section
10 shall include the following:

11 **SECTION 2342bL.** 218.05 (3) (am) 3. of the statutes is created to read:

12 218.05 (3) (am) 3. If an applicant who is an individual does not have a social
13 security number, the applicant, as a condition of applying for or applying to renew
14 a license under this section, shall submit a statement made or subscribed under oath
15 or affirmation to the division that the applicant does not have a social security
16 number. The form of the statement shall be prescribed by the department of
17 workforce development. Any license issued or renewed in reliance upon a false
18 statement submitted by an applicant under this subdivision is invalid.

19 **SECTION 2342bn.** 218.05 (4) (c) 1. of the statutes is amended to read:

20 218.05 (4) (c) 1. The applicant fails to provide the any information required
21 under sub. (3) (am) 1.

22 **SECTION 2342bp.** 218.05 (11) (a) of the statutes is amended to read:

23 218.05 (11) (a) The renewal applicant fails to provide the any information
24 required under sub. (3) (am) 1.”.

1 **1324.** Page 1186, line 9: after that line insert:

2 “**SECTION 2342bc.** 218.01 (2) (L) of the statutes is created to read:

3 218.01 **(2)** (L) 1. Words and phrases defined in sub. (2c) (am) have the same
4 meaning in this paragraph.

5 2. The department may not issue a dealer license under this section, unless the
6 department has determined that no factory will hold an ownership interest in or
7 operate or control the dealership or that one of the exceptions under sub. (2c) (cm)
8 applies.

9 3. If the applicant asserts that sub. (2c) (cm) 2. applies, the department shall
10 require the applicant to provide a copy of the written agreement described in sub. (2c)
11 (cm) 2. d. for examination by the department to ensure that the agreement meets the
12 requirements of sub. (2c) (cm) 2.

13 4. If the division of hearings and appeals determines, after a hearing on the
14 matter at the request of the department or any licensee, that a factory holds an
15 ownership interest in a dealership or operates or controls a dealership in violation
16 of sub. (2c), the division shall order the denial or revocation of the dealership's
17 license.

18 **SECTION 2342bf.** 218.01 (2c) (intro.) of the statutes is renumbered 218.01 (2c)
19 (bm) and amended to read:

20 218.01 **(2c)** (bm) A manufacturer, importer or distributor, or a subsidiary
21 thereof, factory shall not own, directly or indirectly, hold an ownership interest in or
22 operate or control a motor vehicle dealership in this state.

23 (cm) This subsection does not prohibit any of the following:

1 **SECTION 2342bi.** 218.01 (2c) (a) of the statutes is renumbered 218.01 (2c) (cm)

2 1. and amended to read:

3 218.01 **(2c)** (cm) 1. ~~The ownership and operation by a manufacturer, importer~~
4 ~~or distributor, or a subsidiary thereof, of~~ A factory from holding an ownership
5 interest in or operating a dealership for a temporary period, not to exceed one year,
6 during the transition from one owner or dealer operator to another.

7 **SECTION 2342bL.** 218.01 (2c) (am) of the statutes is created to read:

8 218.01 **(2c)** (am) In this subsection:

9 1. “Agent” means a person who is employed by or affiliated with a factory or who
10 directly or through an intermediary is controlled by or under common control of a
11 factory.

12 2. “Control” means the possession, direct or indirect, of the power to direct or
13 cause the direction of the management or policies of a person, whether through the
14 ownership of voting securities, by contract or otherwise. “Control” does not include
15 the relationship between a factory and a dealership under a basic agreement filed
16 under sub. (2) (bd) 1.

17 3. “Dealer operator” means an individual who is vested with the power and
18 authority to operate a dealership.

19 4. “Dealership” means a person licensed or required to be licensed as a motor
20 vehicle dealer under this section.

21 4m. “Department” means the department of transportation.

22 5. “Factory” means a manufacturer, distributor or importer, or an agent of a
23 manufacturer, distributor or importer.

24 6. “Operate” means to directly or indirectly manage a dealership.

1 7. “Ownership interest” means the beneficial ownership of one percent or more
2 of any class of equity interest in a dealership, whether the interest is that of a
3 shareholder, partner, limited liability company member or otherwise. To “hold” an
4 ownership interest means to have possession of, title to or control of the ownership
5 interest, whether directly or indirectly through a fiduciary or an agent.

6 **SECTION 2342bo.** 218.01 (2c) (b) of the statutes is repealed.

7 **SECTION 2342br.** 218.01 (2c) (c) of the statutes is renumbered 218.01 (2c) (cm)
8 3. and amended to read:

9 218.01 **(2c)** (cm) 3. The ownership, operation or control of a dealership by a
10 ~~manufacturer, importer or distributor, or subsidiary thereof, which factory that~~ does
11 not meet the conditions under ~~par. (a) or (b)~~ subds. 1. or 2., if the division of hearings
12 and appeals determines, after a hearing on the matter at the request of any party,
13 that there is no prospective independent dealer available to own and operate the
14 dealership in a manner consistent with the public interest and that meets the
15 reasonable standard and uniformly applied qualifications of the ~~manufacturer,~~
16 ~~importer or distributor~~ factory.

17 **SECTION 2342bu.** 218.01 (2c) (cm) 2. of the statutes is created to read:

18 218.01 **(2c)** (cm) 2. A factory from holding an ownership interest in a
19 dealership, if all of the following apply:

20 a. The dealer operator of the dealership is an individual who is not an agent
21 of the factory.

22 b. The dealer operator of the dealership is unable to acquire full ownership of
23 the dealership with his or her own assets or in conjunction with financial
24 investments and loans from investors or lenders other than the factory holding an
25 ownership interest in the dealership.

1 c. The dealer operator of the dealership holds not less than 15 percent of the
2 total ownership interests in the dealership within one year from the date that the
3 factory initially acquires any ownership interest in the dealership.

4 d. There is a bona fide written agreement in effect between the factory and the
5 dealer operator of the dealership under which the dealer operator will acquire all of
6 the ownership interest in the dealership held by the factory on reasonable terms
7 specified in the agreement.

8 f. The written agreement described in subd. 2. d. provides that the dealer
9 operator will make reasonable progress toward acquiring all of the ownership
10 interest in the dealership, and the dealer is making reasonable progress toward
11 acquiring all of the ownership interest in the dealership.

12 g. Not more than eight years have elapsed since the factory initially acquired
13 its ownership interest in the dealership, unless the department, upon petition by the
14 dealer operator, determines that there is good cause to allow the dealer operator a
15 longer period to complete his or her acquisition of all of the ownership interest in the
16 dealership held by the factory and the longer period determined by the department
17 has not yet elapsed.

18 **SECTION 2342bv.** 218.01 (2c) (cm) 4. of the statutes is created to read:

19 218.01 (2c) (cm) 4. The holding or acquisition, solely for investment purposes,
20 of an ownership interest in a publicly traded corporation by an employee benefit plan
21 that is sponsored by a factory.

22 **SECTION 2342bw.** 218.01 (2c) (cm) 5. of the statutes is created to read:

23 218.01 (2c) (cm) 5. A factory from holding an ownership interest in a dealership
24 trading solely in any line make of new motor vehicles weighing less than 8,500
25 pounds gross vehicle weight, if all of the following apply:

1 a. No more than 10 locations for the line make are licensed and in operation
2 in the state on or after January 1, 1999.

3 b. At the time the factory first acquires an ownership interest in the dealership,
4 the distance between the dealership and the nearest nonaffiliated new motor vehicle
5 dealership trading in the same line make of motor vehicles is no less than 35 miles.

6 c. The factory does not own, directly or indirectly, in aggregate, in excess of a
7 45% interest in the dealership.

8 d. The factory provides written assurance to the department that on all matters
9 pertaining to the operation of the dealership, the dealership has the same degree of
10 independence from the factory as have all other dealerships of the same line make,
11 including the right to seek legally enforceable redress against the manufacturer in
12 any dispute arising under the franchise agreement.

13 e. All franchise agreements for the line make of new motor vehicles include
14 provisions for actively sharing responsibility between the factory and
15 representatives of the dealers of the line make for decision-making on matters
16 within the scope of the agreement that significantly affect the retail automotive
17 business including prior approval of any performance standards binding on dealers,
18 prior and ongoing review of the allocation system the factory uses for distributing
19 new motor vehicles covered by the franchise agreement, prior approval of any
20 proposed supplements to the franchise agreement applicable to dealerships in which
21 the factory owns a partial interest and approval of any superseding franchise
22 agreement before the agreement is offered to dealers of the line make.

23 **SECTION 2342bvm.** 218.01 (3x) (c) 1. g. of the statutes is created to read:

24 218.01 (3x) (c) 1. g. Whether the dealer and affected grantor have previously
25 agreed upon a specific action that is inconsistent with the proposed action and, if so,

1 whether there has been a change in circumstances sufficient to justify the proposed
2 action.

3 **SECTION 2342bw.** 218.01 (3x) (d) 1. of the statutes is repealed.”.

4 **1325.** Page 1186, line 9: after that line insert:

5 “**SECTION 2336mt.** 196.86 of the statutes is created to read:

6 **196.86 Assessments for air quality improvement program. (1)** In this
7 section:

8 (a) “Department” means the department of natural resources.

9 (b) “Electric public utility affiliate” means a public utility affiliate, as defined
10 in s. 196.795 (1) (L), that sells electricity in this state.

11 (c) “Heat throughput ratio” means the result obtained by dividing the total heat
12 throughput of all electric generating facilities that use fossil fuel of an individual
13 electric public utility affiliate by the total heat throughput of all electric generating
14 facilities that use fossil fuel of all electric public utility affiliates.

15 (d) “Initial compliance date” means the date specified in a notice by the
16 department of natural resources under s. 285.48 (2) by which electric generating
17 facilities in the midcontinent area of this state are required to comply with initial
18 nitrogen oxide emission reduction requirements.

19 (e) “Midcontinent area” has the meaning given in s. 16.958 (1) (e).

20 **(2)** If the department of natural resources makes a notification to the
21 commission under s. 285.48 (2), the commission shall assess against electric public
22 utility affiliates a total of \$2,400,000, or a decreased amount specified in a notice by
23 the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of
24 the 10–year period that commences on July 1 of the fiscal year ending before the

1 initial compliance date. An assessment in a fiscal year against an electric public
2 utility affiliate under this subsection shall be in amount that is proportionate to the
3 electric public utility affiliate's heat throughput ratio for the prior fiscal year.

4 **(3)** An electric public utility affiliate shall pay an assessment required under
5 sub. (2) within 30 days after the commission has mailed a bill for the assessment.
6 The bill constitutes notice of the assessment and demand of payment. Payments
7 shall be deposited in the air quality improvement fund.

8 **(4)** Section 196.85 (3) to (8), as it applies to assessments under s. 196.85 (1) or
9 (2), applies to assessments under this section.”.

10 **1326.** Page 1186, line 9: after that line insert:

11 **“SECTION 2336u.** 200.01 (2) of the statutes is amended to read:

12 200.01 **(2)** “Public service corporation” means and embraces every corporation,
13 except municipalities and other political subdivisions, which is a public utility as
14 defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02,
15 but shall not include a public utility corporation receiving an annual gross revenue
16 of less than \$1,000 for the calendar year next preceding the issuance of any securities
17 by it. “Public service corporation” includes a holding company, as defined under s.
18 196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). “Public service
19 corporation” does not include a telecommunications utility, as defined in s. 196.01
20 (10). “Public service corporation” does not include any other holding company unless
21 the holding company was formed after November 28, 1985, and unless the
22 commission has determined, under s. 196.795 (7) (a), that each nonutility affiliate,
23 as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do
24 at least one of the items specified in s. 196.795 (7) (a). “Public service corporation”

1 does not include a company, as defined in s. 196.795 (1) (f), which owns, operates,
2 manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless
3 such company also owns, operates, manages or controls a public utility which is not
4 a telecommunications utility. “Public service corporation” does not include a
5 transmission company, as defined in s. 196.485 (1) (ge).”.

6 **1327.** Page 1188, line 13: after that line insert:

7 “**SECTION 2342Lj.** 218.11 (2) (am) 2. of the statutes is amended to read:

8 218.11 (2) (am) 2. The ~~licensor~~ department shall deny an application for the
9 issuance or renewal of a license if the information required under subd. 1. is not
10 included in the application.

11 **SECTION 2342Lk.** 218.11 (2) (am) 3. of the statutes is amended to read:

12 218.11 (2) (am) 3. The ~~licensor~~ department of commerce may not disclose any
13 information received under subd. 1. to any person except to the department of
14 industry, labor and job development workforce development for purposes of
15 administering s. 49.22 or to the department of revenue for the sole purpose of
16 requesting certifications under s. 73.0301.”.

17 **1328.** Page 1188, line 13: after that line insert:

18 “**SECTION 2342Lm.** 218.11 (2) (am) 1. of the statutes is amended to read:

19 218.11 (2) (am) 1. In addition to any other information required under par. (a)
20 and except as provided in subd. 4., an application by an individual for the issuance
21 or renewal of a license under this section shall include the individual's social security
22 number and, if the application is made by a person who is not an individual for the
23 issuance or renewal of a license under this section shall include the person's federal
24 employer identification number.

1 **SECTION 2342Ln.** 218.11 (2) (am) 4. of the statutes is created to read:

2 218.11 **(2)** (am) 4. If an applicant who is an individual does not have a social
3 security number, the applicant, as a condition of applying for or applying to renew
4 a license under this section, shall submit a statement made or subscribed under oath
5 or affirmation to the licensor that the applicant does not have a social security
6 number. The form of the statement shall be prescribed by the department of
7 workforce development. Any license issued or renewed in reliance upon a false
8 statement submitted by an applicant under this subdivision is invalid.

9 **SECTION 2342Lo.** 218.11 (2) (am) 4. of the statutes, as created by 1999
10 Wisconsin Act (this act), is amended to read:

11 218.11 **(2)** (am) 4. If an applicant who is an individual does not have a social
12 security number, the applicant, as a condition of applying for or applying to renew
13 a license under this section, shall submit a statement made or subscribed under oath
14 or affirmation to the ~~licensor~~ department that the applicant does not have a social
15 security number. The form of the statement shall be prescribed by the department
16 of workforce development. Any license issued or renewed in reliance upon a false
17 statement submitted by an applicant under this subdivision is invalid.”.

18 **1329.** Page 1190, line 25: delete the material beginning with that line and
19 ending with page 1191, line 6, and substitute:

20 **“SECTION 2342pr.** 218.12 (2) (a) of the statutes is amended to read:

21 218.12 **(2)** (a) Applications for mobile home salesperson’s license and renewals
22 thereof shall be made to the licensor on such forms as the licensor prescribes and
23 furnishes and shall be accompanied by the license fee required under par. (c) or (d).
24 The Except as provided in par. (am) 3., the application shall include the applicant’s

1 social security number. In addition, the application shall require such pertinent
2 information as the licensor requires.

3 **SECTION 2342ps.** 218.12 (2) (a) of the statutes, as affected by 1999 Wisconsin
4 Act (this act), is amended to read:

5 218.12 (2) (a) Applications for ~~mobile-home~~ a salesperson's license and
6 renewals thereof shall be made to the licensor department on such forms as the
7 licensor department prescribes and furnishes and shall be accompanied by the
8 license fee required under par. (c) or (d). Except as provided in par. (am) 3., the
9 application shall include the applicant's social security number. In addition, the
10 application shall require such pertinent information as the licensor department
11 requires.

12 **SECTION 2342pt.** 218.12 (2) (am) 1. of the statutes is amended to read:

13 218.12 (2) (am) 1. ~~The~~ Except as provided in subd. 3., the licensor shall deny
14 an application for the issuance or renewal of a license if an individual has not
15 included his or her social security number in the application.

16 **SECTION 2342pu.** 218.12 (2) (am) 1. of the statutes, as affected by 1999
17 Wisconsin Act (this act), is amended to read:

18 218.12 (2) (am) 1. Except as provided in subd. 3., the licensor department shall
19 deny an application for the issuance or renewal of a license if an individual has not
20 included his or her social security number in the application.

21 **SECTION 2342pv.** 218.12 (2) (am) 3. of the statutes is created to read:

22 218.12 (2) (am) 3. If an applicant does not have a social security number, the
23 applicant, as a condition of applying for or applying to renew a license under this
24 section, shall submit a statement made or subscribed under oath or affirmation to
25 the licensor that the applicant does not have a social security number. The form of

1 the statement shall be prescribed by the department of workforce development. Any
2 license issued or renewed in reliance upon a false statement submitted by an
3 applicant under this subdivision is invalid.

4 **SECTION 2342pw.** 218.12 (2) (am) 3. of the statutes, as created by 1999
5 Wisconsin Act (this act), is amended to read:

6 218.12 (2) (am) 3. If an applicant does not have a social security number, the
7 applicant, as a condition of applying for or applying to renew a license under this
8 section, shall submit a statement made or subscribed under oath or affirmation to
9 the ~~licensor~~ department that the applicant does not have a social security number.
10 The form of the statement shall be prescribed by the department of workforce
11 development. Any license issued or renewed in reliance upon a false statement
12 submitted by an applicant under this subdivision is invalid.”.

13 **1330.** Page 1191, line 6: after that line insert:

14 “**SECTION 2342pum.** 218.12 (2) (am) 2. of the statutes is amended to read:

15 218.12 (2) (am) 2. The ~~licensor~~ department of commerce may not disclose a
16 social security number obtained under par. (a) to any person except to the
17 department of workforce development for the sole purpose of administering s. 49.22
18 or to the department of revenue for the sole purpose of requesting certifications
19 under s. 73.0301.”.

20 **1331.** Page 1193, line 3: after that line insert:

21 “**SECTION 2344a.** 221.0303 (2) of the statutes is amended to read:

22 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
23 TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or
24 participate in the acquisition, placement and operation of, at locations other than its

1 main or branch offices, customer bank communications terminals, in accordance
2 with rules established by the division. The rules of the division shall provide that
3 any such customer bank communications terminal shall be available for use, on a
4 nondiscriminatory basis, by any state or national bank and by all customers
5 designated by a bank using the terminal. This subsection does not authorize a bank
6 which has its principal place of business outside this state to conduct banking
7 business in this state. The customer bank communications terminals also shall be
8 available for use, on a nondiscriminatory basis, by any credit union, savings and loan
9 association or savings bank, if the credit union, savings and loan association or
10 savings bank requests to share its use, subject to rules jointly established by the
11 division of banking, the office of credit unions and the division of savings and loan
12 institutions. The division by order may authorize the installation and operation of
13 a customer bank communications terminal in a mobile facility, after notice and
14 hearing upon the proposed service stops of the mobile facility.

15 **SECTION 2345a.** 221.0321 (5) of the statutes is amended to read:

16 221.0321 **(5)** CERTAIN SECURED LOANS. A bank may make loans secured by
17 assignment or transfer of stock certificates or other evidence of the borrower's
18 ownership interest in a corporation formed for the cooperative ownership of real
19 estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage
20 involving a one-family residence, apply to a proceeding to enforce the lender's rights
21 in security given for a loan under this subsection. The division shall promulgate joint
22 rules with the office of credit unions and the division of savings and loan institutions
23 that establish procedures for enforcing a lender's rights in security given for a loan
24 under this subsection.

25 **SECTION 2347a.** 223.105 (3) (a) of the statutes is amended to read:

1 223.105 (3) (a) To assure compliance with such rules as may be established
2 under s. 220.04 (7) the division of banking, the office of credit unions and the division
3 of savings and loan institutions shall, at least once every 18 months, examine the
4 fiduciary operations of each organization which is under its respective jurisdiction
5 and is subject to examination under sub. (2). If a particular organization subject to
6 examination under sub. (2) is not otherwise under the jurisdiction of one of the
7 foregoing agencies, such examination shall be conducted by the division of banking.

8 **SECTION 2348a.** 223.105 (4) of the statutes is amended to read:

9 223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations
10 licensed under ch. 221 or this chapter, any organization engaged in fiduciary
11 operations as defined in this section shall, as required by rule, notify the division of
12 banking, the office of credit unions or the division of savings and loan institutions of
13 that fact, directing the notice to the agency then exercising regulatory authority over
14 the organization or, if there is none, to the division of banking. Any organization
15 which intends to engage in fiduciary operations shall, prior to engaging in such
16 operations, notify the appropriate agency of this intention. The notifications
17 required under this subsection shall be on forms and contain information required
18 by the rules promulgated by the division of banking.

19 **SECTION 2349a.** 223.105 (5) of the statutes is amended to read:

20 223.105 (5) ENFORCEMENT REMEDY. The division of banking or the division of
21 savings and loan institutions or office of credit unions shall upon the failure of such
22 organization to submit notifications or reports required under this section or
23 otherwise to comply with the provisions of this section, or rules established by the
24 division of banking under s. 220.04 (7), upon due notice, order such defaulting

1 organization to cease and desist from engaging in fiduciary activities and may apply
2 to the appropriate court for enforcement of such order.

3 **SECTION 2350a.** 223.105 (6) of the statutes is amended to read:

4 223.105 (6) SUNSET. Except for an organization regulated by the office of credit
5 unions or the division of savings and loan institutions or an organization authorized
6 by the division of banking to operate as a bank or trust company under ch. 221 or this
7 chapter, an organization may not begin activity as a fiduciary operation under this
8 section after May 12, 1992. An organization engaged in fiduciary operations under
9 this section on May 12, 1992, may continue to engage in fiduciary operations after
10 that date.”.

11 **1332.** Page 1193, line 3: after that line insert:

12 “**SECTION 2342xs.** 218.21 (2) (intro.) of the statutes is amended to read:

13 218.21 (2) (intro.) Application for a motor vehicle salvage dealer’s license shall
14 be made upon the form prescribed by the department and, except as provided in sub.
15 (2f), shall contain:

16 **SECTION 2342xu.** 218.21 (2f) of the statutes is created to read:

17 218.21 (2f) (a) If an applicant who is an individual does not have a social
18 security number, the applicant, as a condition of applying for or applying to renew
19 a motor vehicle salvage dealer’s license, shall submit a statement made or subscribed
20 under oath or affirmation to the department that the applicant does not have a social
21 security number. The form of the statement shall be prescribed by the department
22 of workforce development.

23 (b) Any motor vehicle salvage dealer’s license issued or renewed in reliance
24 upon a false statement submitted by an applicant under par. (a) is invalid.

1 **SECTION 2342xw.** 218.21 (2m) (a) of the statutes is amended to read:

2 218.21 **(2m)** (a) The department shall deny an application for the issuance or
3 renewal of a license if the any information required under sub. (2) (ag) or (am) is not
4 included in the application.

5 **SECTION 2342xy.** 218.31 (1) (intro.) of the statutes is amended to read:

6 218.31 **(1)** (intro.) Application for a motor vehicle auction dealer's license shall
7 be made upon the form prescribed by the department and, except as provided in sub.
8 (1f), shall contain:

9 **SECTION 2342yc.** 218.31 (1f) of the statutes is created to read:

10 218.31 **(1f)** (a) If an applicant who is an individual does not have a social
11 security number, the applicant, as a condition of applying for or applying to renew
12 a motor vehicle auction dealer's license, shall submit a statement made or subscribed
13 under oath or affirmation to the department that the applicant does not have a social
14 security number. The form of the statement shall be prescribed by the department
15 of workforce development.

16 (b) Any motor vehicle auction dealer's license issued or renewed in reliance
17 upon a false statement submitted by an applicant under par. (a) is invalid.

18 **SECTION 2342ye.** 218.31 (1m) (a) of the statutes is amended to read:

19 218.31 **(1m)** (a) The department shall deny an application for the issuance or
20 renewal of a license if the any information required under sub. (1) (ag) or (am) is not
21 included in the application.

22 **SECTION 2342yg.** 218.41 (2) (am) 1. (intro.) of the statutes is amended to read:

23 218.41 **(2)** (am) 1. (intro.) In addition to any other information required under
24 this subsection and except as provided in subd. 3., an application for a license under
25 this section shall include the following:

1 **SECTION 2342yi.** 218.41 (2) (am) 3. of the statutes is created to read:

2 218.41 **(2)** (am) 3. If an applicant who is an individual does not have a social
3 security number, the applicant, as a condition of applying for or applying to renew
4 a license under this section, shall submit a statement made or subscribed under oath
5 or affirmation to the department that the applicant does not have a social security
6 number. The form of the statement shall be prescribed by the department of
7 workforce development. Any license issued or renewed in reliance upon a false
8 statement submitted by an applicant under this subdivision is invalid.

9 **SECTION 2342yk.** 218.41 (3m) (b) 1. of the statutes is amended to read:

10 218.41 **(3m)** (b) 1. A license shall be denied if the applicant fails to provide the
11 any information required under sub. (2) (am) 1. ~~a. or b.~~

12 **SECTION 2342yL.** 218.51 (3) (am) 1. (intro.) of the statutes is amended to read:

13 218.51 **(3)** (am) 1. (intro.) In addition to any other information required under
14 par. (a) and except as provided in subd. 3., an application for a buyer identification
15 card shall include the following:

16 **SECTION 2342ym.** 218.51 (3) (am) 3. of the statutes is created to read:

17 218.51 **(3)** (am) 3. If an applicant for the issuance or renewal of a buyer
18 identification card is an individual who does not have a social security number, the
19 applicant, as a condition of applying for or applying to renew the buyer identification
20 card, shall submit a statement made or subscribed under oath or affirmation to the
21 department that the applicant does not have a social security number. The form of
22 the statement shall be prescribed by the department of workforce development. Any
23 buyer identification card issued or renewed in reliance upon a false statement
24 submitted by an applicant under this subdivision is invalid.

25 **SECTION 2342yp.** 218.51 (4m) (b) 1. of the statutes is amended to read:

1 218.51 **(4m)** (b) 1. A buyer identification card shall be denied if the applicant
2 fails to provide the any information required under sub. (3) (am) 1. ~~a. or b.~~”.

3 **1333.** Page 1193, line 3: after that line insert:

4 “**SECTION 2343d.** 220.06 (1) of the statutes is amended to read:

5 220.06 **(1)** In this section, “licensee” means a person licensed by the division
6 under ch. 138, 217 or 218 or under s. 224.92.”.

7 **1334.** Page 1193, line 10: delete that line and substitute “The department
8 may by rule establish fees to be”.

9 **1335.** Page 1193, line 17: delete lines 17 to 19.

10 **1336.** Page 1193, line 19: after that line insert:

11 “**SECTION 2353c.** 224.72 (2) (c) 1. (intro.) of the statutes is amended to read:

12 224.72 **(2)** (c) 1. (intro.) ~~An~~ Except as provided in par. (d), an application shall
13 include the following:

14 **SECTION 2353e.** 224.72 (2) (d) of the statutes is created to read:

15 224.72 **(2)** (d) *Social security number exceptions.* 1. If an applicant who is an
16 individual does not have a social security number, the applicant, as a condition of
17 applying for or applying to renew a registration under this section, shall submit a
18 statement made or subscribed under oath or affirmation to the division that the
19 applicant does not have a social security number. The form of the statement shall
20 be prescribed by the department of workforce development.

21 2. Any certificate of registration issued or renewed in reliance upon a false
22 statement submitted by an applicant under subd. 1. is invalid.

23 **SECTION 2353g.** 224.72 (7m) (a) of the statutes is amended to read:

1 224.72 **(7m)** (a) The applicant for the issuance or renewal has failed to provide
2 the any information required under sub. (2) (c) 1.”.

3 **1337.** Page 1193, line 19: after that line insert:

4 “**SECTION 2353d.** Subchapter IV of Chapter 224 [precedes 224.90] of the
5 statutes is created to read:

6 **CHAPTER 224**

7 SUBCHAPTER IV

8 NONDEPOSITORY SMALL

9 BUSINESS LENDERS

10 **224.90 Definitions.** In this subchapter:

11 **(1)** “Division” means the division of banking.

12 **(2)** “In control” means any of the following:

13 (a) Owning 10% or more of the outstanding voting stock of a nondepository
14 lender.

15 (b) Possessing, directly or indirectly, alone or in concert with others, the power
16 to control or vote 10% or more of the outstanding voting stock of a nondepository
17 lender or to elect or control the election of a majority of the board of directors of a
18 nondepository lender.

19 **(3)** “Licensee” means a lender licensed under this subchapter.

20 **(4)** “Nondepository lender” means a commercial small business lender that
21 participates in the loan guarantee program of the U.S. small business
22 administration described in 13 CFR 120.2 (a) and that provides financial assistance
23 to small businesses that qualify for financial assistance pursuant to 15 USC 636 (a).

1 “Nondepository lender” does not include a bank, credit union, savings and loan
2 association or savings bank.

3 **224.92 License required.** No person may engage in business as a
4 nondepository lender in this state without a license issued under this subchapter.

5 **224.923 License application.** An application for a license under this
6 subchapter shall be made to the division in writing on a form to be prescribed by the
7 division. An application for a license under this subchapter shall state the full name
8 and business address of the applicant and each officer, director and person in control
9 of the applicant. The application also shall contain the applicant’s federal employer
10 identification number. In addition, the application shall contain the applicant’s
11 business plan, 3 years of detailed financial projections and other relevant
12 information, all as prescribed by the division.

13 **224.927 Disclosure of certain application information.** The division may
14 not disclose an applicant’s federal employer identification number received under s.
15 224.923, except as follows:

16 (1) The division may disclose the information to the department of revenue for
17 the sole purpose of requesting certification under s. 73.0301.

18 (2) The division may disclose the information to the department of workforce
19 development in accordance with a memorandum of understanding under s. 49.857.

20 **224.93 License approval.** After a review of information regarding the
21 directors, officers and controlling persons of the applicant for a license, a review of
22 the applicant’s business plan, including at least three years of detailed financial
23 projections and other information considered relevant by the division, the division
24 may approve an application for a license if the division determines that all of the
25 following conditions are met:

1 **(1)** The applicant has at least \$500,000 in capital and the amount of capital is
2 adequate for the applicant to transact business as a nondepository lender.

3 **(2)** Each director, officer and person in control of the applicant is of good
4 character and sound financial standing; the directors and officers of the applicant are
5 competent to perform their functions with respect to the applicant and the directors
6 and officers of the applicant are collectively adequate to manage the business of the
7 applicant as a nondepository lender.

8 **(3)** The business plan of the applicant will be honestly and efficiently conducted
9 in accordance with the intent and purpose of this subchapter.

10 **(4)** The proposed activity of the applicant possesses a reasonable prospect for
11 success.

12 **(5)** The applicant has paid to the division the application fee prescribed by the
13 division, together with the actual cost incurred by the division in investigating the
14 application.

15 **224.935 Expiration of license. (1)** GENERALLY. Except as provided under
16 sub. (2), a license issued under this subchapter expires on the June 30 following the
17 date on which the license was issued.

18 **(2) CHANGE IN CONTROL OF LICENSEE.** A change in the identity or number of
19 individuals that are in control of a licensee terminates the licensee's license under
20 this subchapter, unless the licensee applies to the division for and receives a renewal
21 of the license no later than 15 days after the change in control.

22 **224.94 Renewal of license.** Except as provided under s. 224.935 (2), a
23 licensee shall renew its license by submitting to the division a renewal application
24 and the renewal fee as prescribed by the division not less than 60 days before the date

1 on which the license expires. A renewal application is subject to the same criteria
2 as the criteria for approval of an original license.

3 **224.95 Denial of or disciplinary action relating to license. (1)**

4 MANDATORY DENIAL. The division shall deny an application for issuance or renewal
5 of a license under this subchapter if any of the following applies:

6 (a) The applicant has failed to provide its federal employer identification
7 number under s. 224.923.

8 (b) The department of revenue has certified under s. 73.0301 that the applicant
9 is liable for delinquent taxes. An applicant whose application for issuance or renewal
10 of a license is denied under this paragraph is entitled to a notice under s. 73.0301 (2)
11 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to a notice or hearing
12 under sub. (4).

13 (c) The applicant is an individual who has failed to comply, after appropriate
14 notice, with a subpoena or warrant issued by the department of workforce
15 development or a county child support agency under s. 59.53 (5) and related to
16 paternity or child support proceedings or who is delinquent in making court-ordered
17 payments of child or family support, maintenance, birth expenses, medical expenses
18 or other expenses related to the support of a child or former spouse, as provided in
19 a memorandum of understanding entered into under s. 49.857. An applicant whose
20 application for issuance or renewal of a license is denied under this paragraph is
21 entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or
22 hearing under sub. (4).

23 **(2) DISCRETIONARY DENIAL OR DISCIPLINARY ACTION.** The division may deny an
24 application for issuance or renewal of a license under this subchapter or may revoke,

1 suspend or limit a license issued under this subchapter if the division finds that the
2 applicant or nondepository lender did any of the following:

3 (a) Made a material misstatement in an application for issuance or renewal of
4 a license issued under this subchapter or in information provided to the division.

5 (b) Demonstrated a lack of competency to act as a nondepository lender.

6 (c) Violated any provision of this subchapter or any rule of the division.

7 **(3) DISCIPLINARY ORDERS.** The division may issue general or special orders
8 necessary to prevent or correct actions by a nondepository lender that constitute
9 cause under this section for revoking, suspending or limiting a license.

10 **(4) APPEAL OF DENIAL OR DISCIPLINARY ACTION.** A person whose application for
11 issuance or renewal of a license under this subchapter has been denied or whose
12 license has been revoked, suspended or limited under this section may request a
13 hearing under s. 227.42 within 30 days after the date of denial, revocation,
14 suspension or limitation. Failure of a person to request a hearing within the time
15 provided under this subsection is a waiver of the person's right to a hearing on the
16 denial, revocation, suspension or limitation.

17 **224.96 Required loan loss reserve.** Each licensee shall provide for a loan
18 loss reserve sufficient to cover projected loan losses that are not guaranteed by the
19 U.S. government or any agency of the U.S. government.

20 **224.97 Division review of nondepository lender operations.** The
21 division may, at any reasonable time, examine the books of account, records,
22 condition and affairs of a nondepository lender licensed under this subchapter. The
23 division shall examine the books of account, records, condition and affairs of every
24 nondepository lender licensed under this subchapter at least once during every 12
25 month period. The division shall prepare a report of each examination conducted

1 under this section. As part of an examination under this section or as part of the
2 preparation of an examination report, the division may examine under oath any
3 person in control, officer, director, agent, employe or customer of the nondepository
4 lender. The division may require a nondepository lender that is examined under this
5 section to pay to the division a reasonable fee for the costs of conducting the
6 examination.

7 **224.98 Powers of licensee.** A licensee may do any of the following:

8 (1) Participate in the loan guaranty program under 15 USC 636 (a).

9 (2) Participate in any other government program for which the licensee is
10 eligible and which has as its function the provision or facilitation of financing or
11 management assistance to business firms.

12 **224.985 Required records and reports.** (1) RECORD KEEPING. A licensee
13 shall keep books, accounts, and other records in such a form and manner as required
14 by rule of the division. These records shall be kept at a location and shall be
15 preserved for a length of time as prescribed by rule of the division.

16 (2) ANNUAL REPORT. Not more than 90 days after the close of a licensee's fiscal
17 year or upon request of the division, every licensee shall file with the division a report
18 containing all of the following:

19 (a) Financial statements, including the balance sheet, the statement of income
20 or loss, the statement of changes in capital accounts and the statement of changes
21 in financial position of the licensee. The licensee shall ensure that the financial
22 statements have been audited by an independent certified public account and
23 prepared in accordance with generally accepted account principles.

24 (b) Other relevant information requested by the division.

1 **224.99 Rule making.** The division may promulgate rules for the efficient
2 administration of this subchapter.”.

3 **1338.** Page 1194, line 6: delete “(i) 3. or”.

4 **1339.** Page 1194, line 8: delete “(i) 3. or”.

5 **1340.** Page 1194, line 9: after that line insert:

6 “**SECTION 2353sm.** 227.01 (13) (zu) of the statutes is created to read:

7 227.01 **(13)** (zu) Establishes standards under subch. IX of ch. 254.”.

8 **1341.** Page 1194, line 11: delete “**state land use**” and substitute “**local,**
9 **comprehensive**”.

10 **1342.** Page 1194, line 12: after “administers,” insert “is encouraged to
11 design”.

12 **1343.** Page 1194, line 12: delete “shall ensure that, consistently” and
13 substitute “, where applicable and consistent”.

14 **1344.** Page 1194, line 13: delete “are designed to further” and substitute “to
15 reflect a balance between the mission of the agency and”.

16 **1345.** Page 1194, line 13: after that line insert:

17 “**SECTION 2355mm.** 227.14 (1s) of the statutes is created to read:

18 227.14 **(1s)** EXCEPTION; PREPARATION OF CERTAIN RULES BASED ON FEDERAL FOOD
19 CODE. Notwithstanding sub. (1), if the department of agriculture, trade and
20 consumer protection or the department of health and family services prepares a
21 proposed rule based on the model food code published by the federal food and drug
22 administration, the proposed rule may be in the format of the model food code.”.

23 **1346.** Page 1194, line 20: after that line insert:

1 **“SECTION 2357a.** 227.52 (5) of the statutes is amended to read:

2 227.52 (5) Decisions of the division of savings and loan institutions.

3 **SECTION 2358a.** 227.53 (1) (b) 4. of the statutes is amended to read:

4 227.53 (1) (b) 4. The savings and loan review board, the division of savings and
5 loan institutions, except if the petitioner is the division of savings and loan
6 institutions, the prevailing parties before the savings and loan review board shall be
7 the named respondents.

8 **SECTION 2359a.** 227.53 (1) (b) 5. of the statutes is amended to read:

9 227.53 (1) (b) 5. The savings bank review board, the division of savings and loan
10 institutions, except if the petitioner is the division of savings and loan institutions,
11 the prevailing parties before the savings bank review board shall be the named
12 respondents.”.

13 **1347.** Page 1195, line 6: delete the material beginning with that line and
14 ending with page 1196, line 13.

15 **1348.** Page 1196, line 13: after that line insert:

16 **“SECTION 2359tb.** 230.04 (19m) of the statutes is created to read:

17 230.04 (19m) The secretary shall ensure that no agency require that its
18 employees record their number of hours worked during any part of a pay period on a
19 form on which the employee’s social security number is printed.”.

20 **1349.** Page 1197, line 3: delete lines 3 to 13 and substitute:

21 **“SECTION 2359ts.** 230.046 (4) of the statutes is amended to read:

22 230.046 (4) RECORDS OF TRAINING PROGRAM PARTICIPATION. Each agency shall
23 adopt a standardized system for measuring, recording, reporting, accumulating and

1 recognizing employee participation in its training program. ~~The system may not take~~
2 ~~effect until approved by the secretary.~~

3 **SECTION 2359tw.** 230.046 (5) (intro.) of the statutes is amended to read:

4 230.046 (5) INITIATION OF PROGRAMS. (intro.) Unless otherwise empowered by
5 law, any agency desiring to initiate a training program under sub. (3) shall certify
6 ~~to the secretary~~ ensure that:

7 **SECTION 2359uc.** 230.046 (10) of the statutes is repealed and recreated to read:

8 230.046 (10) DEPARTMENT FUNCTIONS. The department may do all of the
9 following:

10 (a) Conduct off-the-job employee development and training programs relating
11 to functions under this chapter or subch. V of ch. 111.

12 (b) Charge fees to state agencies whose employees participate in employee
13 development and training programs under this subsection.

14 **SECTION 2359uh.** 230.046 (11) of the statutes is repealed.”.

15 **1350.** Page 1197, line 16: delete lines 16 to 22.

16 **1351.** Page 1198, line 1: after that line insert:

17 “**SECTION 2361d.** 230.08 (2) (e) 8. of the statutes is amended to read:

18 230.08 (2) (e) 8. Natural resources — 6 7.”.

19 **1352.** Page 1198, line 2: delete lines 2 to 14.

20 **1353.** Page 1198, line 14: after that line insert:

21 “**SECTION 2362p.** 230.08 (2) (pm) of the statutes is amended to read:

22 230.08 (2) (pm) The All employees of the state fair park director board.”.

23 **1354.** Page 1198, line 16: delete lines 16 to 23.

24 **1355.** Page 1199, line 3: delete lines 3 to 21.

1 **1356.** Page 1201, line 1: delete lines 1 to 5.

2 **1357.** Page 1208, line 5: delete lines 5 to 24.

3 **1358.** Page 1209, line 5: delete lines 5 to 12.

4 **1359.** Page 1209, line 13: delete lines 13 to 19.

5 **1360.** Page 1209, line 20: delete the material beginning with that line and
6 ending with page 1210, line 11.

7 **1361.** Page 1210, line 11: after that line insert:

8 “**SECTION 2400em.** 250.01 (4) (a) 5. of the statutes is created to read:

9 250.01 **(4)** (a) 5. A multiple municipal local health department established
10 under s. 251.02 (3r).”.

11 **1362.** Page 1210, line 11: after that line insert:

12 “**SECTION 2400gm.** 250.041 (1) (intro.) of the statutes is amended to read:

13 250.041 **(1)** (intro.) The ~~Except as provided in sub. (1m), the~~ department shall
14 require each applicant to provide the department with the applicant’s social security
15 number, if the applicant is an individual, as a condition of issuing or renewing any
16 of the following:

17 **SECTION 2400gn.** 250.041 (1m) of the statutes is created to read:

18 250.041 **(1m)** If an individual who applies for or to renew a registration, license,
19 certification, approval, permit or certificate under sub. (1) does not have a social
20 security number, the individual, as a condition of obtaining the registration, license,
21 certification, approval, permit or certificate, shall submit a statement made or
22 subscribed under oath or affirmation to the department that the applicant does not
23 have a social security number. The form of the statement shall be prescribed by the
24 department of workforce development. A registration, license, certification,

1 approval, permit or certificate issued or renewed in reliance upon a false statement
2 submitted under this subsection is invalid.

3 **SECTION 2400gp.** 250.05 (8m) (a) of the statutes is amended to read:

4 250.05 **(8m)** (a) The Except as provided in par. (am), the department shall
5 require each applicant for registration under this section to provide the department
6 with the applicant's social security number as a condition of issuing or renewing the
7 registration.

8 **SECTION 2400gq.** 250.05 (8m) (am) of the statutes is created to read:

9 250.05 **(8m)** (am) If an individual who applies for or to renew a registration
10 under par. (a) does not have a social security number, the individual, as a condition
11 of obtaining registration, shall submit a statement made or subscribed under oath
12 or affirmation to the department that the applicant does not have a social security
13 number. The form of the statement shall be prescribed by the department of
14 workforce development. A registration issued or renewed in reliance upon a false
15 statement submitted under this paragraph is invalid.

16 **SECTION 2400gr.** 250.05 (8m) (c) of the statutes is amended to read:

17 250.05 **(8m)** (c) The Except as provided in par. (am), the department shall deny
18 an application for the issuance or renewal of registration under this section if the
19 applicant does not provide the information specified in par. (a).”.

20 **1363.** Page 1211, line 18: after that line insert:

21 “**SECTION 2400mf.** 252.07 (1) of the statutes is renumbered 252.07 (1m) and
22 amended to read:

23 252.07 **(1m)** Tuberculosis is a communicable disease caused by mycobacterium
24 tuberculosis and is Infectious tuberculosis and suspect tuberculosis are subject to the

1 reporting requirements specified in s. 252.05. Any laboratory that ~~performs a test~~
2 receives a specimen for tuberculosis testing shall report all positive results obtained
3 by any appropriate procedure, including a procedure performed by an out-of-state
4 laboratory, to the local health officer and to the department.

5 **SECTION 2400mg.** 252.07 (1g) of the statutes is created to read:

6 252.07 (1g) In this section:

7 (a) “Infectious tuberculosis” means tuberculosis disease of the respiratory
8 tract, capable of producing infection or disease in others as demonstrated by the
9 presence of acid-fast bacilli in the sputum or bronchial secretions or by chest
10 radiograph and clinical findings.

11 (b) “Isolate” means a population of mycobacterium tuberculosis bacteria that
12 has been obtained in pure culture medium.

13 (c) “Isolation” means the separation from other persons of a person with
14 infectious tuberculosis in a place and under conditions that prevent the transmission
15 of the infection.

16 (d) “Suspect tuberculosis” means an illness marked by symptoms and
17 laboratory tests that may be indicative of tuberculosis, such as a prolonged cough,
18 prolonged fever, hemoptysis, compatible roentgenographic findings or other
19 appropriate medical imaging findings.

20 **SECTION 2400mh.** 252.07 (1p) of the statutes is created to read:

21 252.07 (1p) Any laboratory that performs primary culture for mycobacteria
22 shall also perform organism identification for mycobacterium tuberculosis complex
23 using an approved rapid testing procedure specified by the department by rule.

24 **SECTION 2400mi.** 252.07 (1t) of the statutes is created to read:

1 252.07 (1t) Any laboratory that identifies mycobacterium tuberculosis shall
2 ensure that antimicrobial drug susceptibility tests are performed on the initial
3 isolate. The laboratory shall report the results of these tests to the local health officer
4 and the department.

5 **SECTION 2400mj.** 252.07 (2) of the statutes is amended to read:

6 252.07 (2) The department shall identify groups at risk for contracting or
7 transmitting mycobacterium tuberculosis and shall recommend the protocol for
8 screening members of those groups. ~~If necessary to prevent or control the~~
9 ~~transmission of mycobacterium tuberculosis, the department may promulgate rules~~
10 ~~that require screening of members of specific groups that are at risk for contracting~~
11 ~~or transmitting mycobacterium tuberculosis.~~

12 **SECTION 2400mk.** 252.07 (4) of the statutes is repealed.

13 **SECTION 2400mL.** 252.07 (5) of the statutes is amended to read:

14 252.07 (5) Upon report of any person under sub. (1) (1m) or (1t), the local health
15 officer shall at once investigate and make and enforce the necessary orders. If any
16 person does not voluntarily comply with any order made by the local health officer
17 with respect to that person, the local health officer or the department may order a
18 medical evaluation, directly observed therapy or home isolation of that person.

19 **SECTION 2400mm.** 252.07 (7) of the statutes is repealed.

20 **SECTION 2400mn.** 252.07 (8) of the statutes is created to read:

21 252.07 (8) (a) The department or a local health officer may order the
22 confinement to a facility of an individual who has a confirmed diagnosis of infectious
23 tuberculosis or suspect tuberculosis if all of the following conditions are met:

24 1. The department or local health officer notifies a court in writing of the
25 confinement.

1 2. The department or local health officer provides to the court a written
2 statement from a physician that the individual has infectious tuberculosis or suspect
3 tuberculosis.

4 3. The department or local health officer provides to the court evidence that the
5 individual has refused to follow a prescribed treatment regimen or, in the case of an
6 individual with suspect tuberculosis, has refused to undergo a medical examination
7 to confirm whether the individual has infectious tuberculosis.

8 4. In the case of an individual with a confirmed diagnosis of infectious
9 tuberculosis, the department or local health officer determines that the individual
10 poses an imminent and substantial threat to himself or herself or to the public
11 health. The department or local health officer shall provide to the court a written
12 statement of that determination.

13 (b) If the department or local health officer orders the confinement of an
14 individual under this subsection, a law enforcement officer, or other person
15 authorized by the local public health officer, shall transport the individual, if
16 necessary, to a facility that the department or local health officer determines will
17 meet the individual's need for medical evaluation, isolation and treatment.

18 (c) No individual may be confined under this subsection for more than 72 hours,
19 excluding Saturdays, Sundays and legal holidays, without a court hearing under
20 sub. (9) to determine whether the confinement should continue.

21 **SECTION 2400mo.** 252.07 (9) of the statutes is created to read:

22 252.07 (9) (a) The department or a local health officer may petition any court
23 for a hearing to determine whether an individual with infectious or suspect
24 tuberculosis should be confined for longer than 72 hours in a facility where proper
25 care and treatment will be provided and spread of the disease will be prevented. The

1 department or local health officer shall include in the petition documentation that
2 demonstrates all of the following:

3 1. That the individual named in the petition has infectious tuberculosis; that
4 the individual has noninfectious tuberculosis but is at high risk of developing
5 infectious tuberculosis; or that the individual has suspect tuberculosis.

6 2. That the individual has failed to comply with the prescribed treatment
7 regimen or with any rules promulgated by the department under sub. (11); or that
8 the disease is resistant to the medication prescribed to the individual.

9 3. That all other reasonable means of achieving voluntary compliance with
10 treatment have been exhausted and no less restrictive alternative exists; or that no
11 other medication to treat the resistant disease is available.

12 4. That the individual poses an imminent and substantial threat to himself or
13 herself or to the public health.

14 (b) The department or local health officer shall give the individual written
15 notice of a hearing at least 48 hours before a scheduled hearing is to be held. Notice
16 of the hearing shall include all of the following information:

17 1. The date, time and place of the hearing.

18 2. The grounds, and underlying facts, upon which confinement of the individual
19 is being sought.

20 3. An explanation of the individual's rights specified under par. (d).

21 4. The proposed actions to be taken and the reasons for each action.

22 (c) If the court orders confinement of an individual under this subsection, the
23 individual shall remain confined until the department or local health officer, with the
24 concurrence of a treating physician, determines that treatment is complete or that
25 the individual is no longer a substantial threat to himself or herself or to the public

1 health. If the individual is to be confined for more than 6 months, the court shall
2 review the confinement every 6 months.

3 (d) An individual who is the subject of a petition for a hearing under this
4 subsection has the right to appear at the hearing, the right to present evidence and
5 cross-examine witnesses and the right to be represented by adversary counsel. At
6 the time of the filing of the petition the court shall assure that the individual who is
7 the subject of the petition is represented by adversary counsel. If the individual
8 claims or appears to be indigent, the court shall refer the individual to the authority
9 for indigency determinations specified under s. 977.07 (1). If the individual is a child,
10 the court shall refer that child to the state public defender who shall appoint counsel
11 for the child without a determination of indigency, as provided in s. 48.23 (4). Unless
12 good cause is shown, a hearing under this subsection may be conducted by telephone
13 or live audiovisual means, if available.

14 (e) An order issued by the court under this subsection may be appealed as a
15 matter of right. An appeal shall be heard within 30 days after the appeal is filed.
16 An appeal does not stay the order.

17 **SECTION 2400mp.** 252.07 (11) of the statutes is created to read:

18 252.07 (11) The department may promulgate any rules necessary for the
19 administration and enforcement of this section, including, if necessary to prevent or
20 control the transmission of mycobacterium tuberculosis, rules that require screening
21 of members of specific groups that are at risk for contracting or transmitting
22 mycobacterium tuberculosis.

23 **SECTION 2400mq.** 252.073 of the statutes is repealed.

24 **SECTION 2400mr.** 252.076 of the statutes is repealed.

25 **SECTION 2400ms.** 252.08 (1) of the statutes is repealed.

1 **SECTION 2400mt.** 252.08 (2) of the statutes is repealed.

2 **SECTION 2400mu.** 252.08 (3) of the statutes is renumbered 252.07 (10) and
3 amended to read:

4 252.07 **(10)** Inpatient care for isolated pulmonary tuberculosis patients, and
5 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are
6 not eligible for federal medicare benefits, for medical assistance under subch. V IV
7 of ch. 49 or for health care services funded by a relief block grant under subch. II of
8 ch. 49 may be reimbursed if provided by a facility contracted by the department. If
9 the patient has private health insurance, the state shall pay the difference between
10 health insurance payments and total charges.

11 **SECTION 2400mv.** 252.08 (4) of the statutes is repealed.

12 **SECTION 2400mw.** 252.08 (5) of the statutes is repealed.

13 **SECTION 2400mx.** 252.08 (6) of the statutes is repealed.

14 **SECTION 2400my.** 252.09 of the statutes is repealed.”.

15 **1364.** Page 1211, line 18: after that line insert:

16 “(c) From the appropriation under s. 20.435 (5) (fh), the department shall
17 award \$25,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.”.

18 **1365.** Page 1211, line 18: after that line insert:

19 “**SECTION 2400qc.** 251.02 (1) of the statutes is amended to read:

20 251.02 **(1)** In counties with a population of less than 500,000, the county board
21 shall establish a county health department that meets the requirements of this
22 chapter. The county health department shall serve all areas of the county that are
23 not served by a city health department that was established prior to January 1, 1994,
24 ~~or~~ by a town or village health department established under sub. (3m) or by a

1 multiple local health department established under sub. (3r). No city health
2 department may be established after ~~that date~~ January 1, 1994, but a city-county
3 health department may be established after that date.

4 **SECTION 2400qd.** 251.02 (3r) of the statutes is created to read:

5 251.02 **(3r)** In a county described in sub. (3m), in addition to the local health
6 department required to be established under sub. (3m), the governing body of a city,
7 village or town in that county may, in concert with the governing body of another city,
8 village or town in that county, establish a multiple municipal local health
9 department and elect a local health officer consistent with this chapter.

10 **SECTION 2400qe.** 251.03 (4r) of the statutes is created to read:

11 251.03 **(4r)** Subsections (1) to (4m) do not apply to a city, village or town that
12 establishes a multiple municipal local health department under s. 251.02 (3r). In
13 establishing a multiple municipal local health department as described under s.
14 251.02 (3r), the relevant governing bodies shall agree on how many members of the
15 local board of health are appointed by each governing body and how many of each
16 governing body's appointees shall be members who are not elected officials or
17 employees of the governing body. The members shall be appointed by the relevant
18 governing bodies. A local board of health under this subsection shall elect a
19 chairperson and clerk.

20 **SECTION 2400qf.** 251.04 (1) of the statutes is amended to read:

21 251.04 **(1)** A city or county board of health shall govern each local health
22 department other than a local health department as authorized in s. 251.02 (3m) and
23 (3r) and a city or county board of health or a board of health for a local health
24 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of
25 state public health statutes and public health rules of the department as prescribed

1 for a Level I local health department. A local board of health may contract or
2 subcontract to provide public health services. The contractor's staff shall meet the
3 appropriate qualifications for positions in a Level I local health department.

4 **SECTION 2400qg.** 251.04 (2) of the statutes is amended to read:

5 251.04 (2) A city or county board of health or a board of health for a local health
6 department as authorized in s. 251.02 (3m) or (3r) shall assure that its local health
7 department is a Level I, Level II or Level III local health department, as specified in
8 s. 251.05 (1).

9 **SECTION 2400qh.** 251.04 (3) of the statutes is amended to read:

10 251.04 (3) A city or county board of health or a board of health for a local health
11 department as authorized in s. 251.02 (3m) or (3r) may adopt those regulations, for
12 its own guidance and for the governance of the local health department, that it
13 considers necessary to protect and improve public health. The regulations may be
14 no less stringent than, and may not conflict with, state statutes and rules of the
15 department.

16 **SECTION 2400qi.** 251.06 (1) (a) 2. of the statutes is amended to read:

17 251.06 (1) (a) 2. A local health officer of a village or town health department
18 established under s. 251.02 (3m) or of a multiple municipal local health department
19 established under s. 251.02 (3r) shall be either a physician or a registered nurse. The
20 local health officer shall be a voting member of the local board of health and shall take
21 an oath of office. With respect to the levels of services of a Level I local health
22 department, as specified in s. 251.05 (2) (a), the local health officer shall be
23 authorized to act by and be directed by the county health officer of the county
24 specified under s. 251.02 (3m).

25 **SECTION 2400qim.** 251.06 (2) (c) (intro.) of the statutes is amended to read:

1 251.06 (2) (c) (intro.) A local health officer of a local health department of a
2 village or town established under s. 251.02 (3m) or a local health officer of a multiple
3 municipal local health department established under s. 251.02 (3r) shall be one of the
4 following:

5 **SECTION 2400qin.** 251.06 (2) (c) 1. of the statutes is amended to read:

6 251.06 (2) (c) 1. An employe of the local health department of the village or town
7 or an employe of the multiple municipal local health department.

8 **SECTION 2400qj.** 251.06 (4) (c) of the statutes is amended to read:

9 251.06 (4) (c) A local health officer of a village or town health department
10 established under s. 251.02 (3m) and a local health officer of a multiple municipal
11 local health department established under s. 251.02 (3r) shall be appointed by the
12 local board of health.

13 **SECTION 2400qk.** 251.12 of the statutes is amended to read:

14 **251.12 City health department, how financed.** The common council shall
15 appropriate funds for the operation of a city health department that is established
16 as specified in s. 251.02 (1) and (2) and for the operation of a multiple municipal local
17 health department that is established under s. 251.02 (3r) by the governing body of
18 a city in concert with the governing body of another city or a village or town.

19 **SECTION 2400qL.** 251.125 of the statutes is amended to read:

20 **251.125 Village health department, how financed.** If a village health
21 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local
22 health department is established under s. 251.01 (3r) by the governing body of a
23 village in concert with the governing body of another village or a city or town, the
24 village board shall appropriate funds for the operation of the department.

25 **SECTION 2400qm.** 251.127 of the statutes is amended to read:

1 **251.127 Town health department, how financed.** If a town health
2 department is established under s. 251.02 (3m) or if a multiple municipal local health
3 department is established under s. 251.02 (3r) by the governing body of a town in
4 concert with the governing body of another town or a city or village, the town board
5 shall appropriate funds for the operation of the department.”.

6 **1366.** Page 1213, line 22: after that line insert:

7 “**SECTION 2430L.** 252.10 (7) of the statutes, as affected by 1997 Wisconsin Act
8 156, is amended to read:

9 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
10 shall be purchased by the department from the appropriation under s. 20.435 (5) (e)
11 and dispensed to patients through the public health dispensaries ~~or through health~~
12 ~~care providers, as defined in s. 146.81 (1), other than massage therapists or~~
13 ~~bodyworkers issued a license of registration under subch. X of ch. 440, social workers,~~
14 ~~marriage and family therapists or professional counselors certified under ch. 457,~~
15 ~~speech–language pathologists or audiologists licensed under subch. II of ch. 459,~~
16 ~~speech and language pathologists licensed by the department of public instruction~~
17 ~~or dietitians certified under subch. V of ch. 448, local health departments, physicians~~
18 ~~or advanced practice nurse prescribers.”.~~

19 **1367.** Page 1215, line 4: after that line insert:

20 “**SECTION 2432jk.** 252.14 (1) (d) of the statutes is amended to read:

21 252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home,
22 community–based residential facility, county home, county mental health complex,
23 ~~tuberculosis sanatorium~~ or other place licensed or approved by the department
24 under ss. s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073~~

1 and ~~252.076~~ or a facility under s. 45.365, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42
2 or 252.10.”.

3 **1368.** Page 1215, line 4: after that line insert:

4 “**SECTION 2434d.** 252.15 (1) (ab) of the statutes is amended to read:

5 252.15 (1) (ab) “Affected person” means an emergency medical technician, first
6 responder, fire fighter, peace officer, correctional officer, person who is employed at
7 a secured correctional facility, as defined in s. 938.02 (15m), ~~or at a secured child~~
8 ~~caring institution, as defined in s. 938.02 (15g),~~ or a secured group home, as defined
9 in s. 938.02 (15p), state patrol officer, jailer or keeper of a jail or person designated
10 with custodial authority by the jailer or keeper, health care provider, employe of a
11 health care provider or staff member of a state crime laboratory.

12 **SECTION 2435d.** 252.15 (2) (a) 7. a. of the statutes is amended to read:

13 252.15 (2) (a) 7. a. If all of the conditions under subd. 7. ai. to c. are met, an
14 emergency medical technician, first responder, fire fighter, peace officer, correctional
15 officer, person who is employed at a secured correctional facility, as defined in s.
16 938.02 (15m), ~~or at a secured child caring institution, as defined in s. 938.02 (15g),~~
17 or a secured group home, as defined in s. 938.02 (15p), state patrol officer, jailer or
18 keeper of a jail or person designated with custodial authority by the jailer or keeper
19 who, during the course of providing care or services to an individual; or a peace
20 officer, correctional officer, state patrol officer, jailer or keeper of a jail or person
21 designated with custodial authority by the jailer or keeper who, while searching or
22 arresting an individual or while controlling or transferring an individual in custody;
23 or a health care provider or an employe of a health care provider who, during the
24 course of providing care or treatment to an individual or handling or processing

1 specimens of body fluids or tissues of an individual; or a staff member of a state crime
2 laboratory who, during the course of handling or processing specimens of body fluids
3 or tissues of an individual; is significantly exposed to the individual may subject the
4 individual's blood to a test or a series of tests for the presence of HIV, antigen or
5 nonantigenic products of HIV or an antibody to HIV and may receive disclosure of
6 the results.”.

7 **1369.** Page 1215, line 4: after that line insert:

8 “**SECTION 2433j.** 252.241 (1) of the statutes is amended to read:

9 252.241 (1) The Except as provided in sub. (1m), the department shall require
10 each applicant to provide the department with the applicant's social security
11 number, if the applicant is an individual, or the applicant's federal employer
12 identification number, if the applicant is not an individual, as a condition of issuing
13 or renewing a license under s. 252.23 (2) or (4) (a) or 252.24 (2) or (4) (a).

14 **SECTION 2433k.** 252.241 (1m) of the statutes is created to read:

15 252.241 (1m) If an individual who applies for or to renew a license under sub.
16 (1) does not have a social security number, the individual, as a condition of obtaining
17 the license, shall submit a statement made or subscribed under oath or affirmation
18 to the department that the applicant does not have a social security number. The
19 form of the statement shall be prescribed by the department of workforce
20 development. A license issued or renewed in reliance upon a false statement
21 submitted under this subsection is invalid.

22 **SECTION 2433L.** 252.241 (3) of the statutes is amended to read:

1 252.241 (3) The Except as provided in sub. (1m), the department shall deny an
2 application for the issuance or renewal of a license specified in sub. (1) if the applicant
3 does not provide the information specified in sub. (1).”.

4 **1370.** Page 1215, line 4: after that line insert:

5 “**SECTION 2432r.** 252.14 (1) (ar) 4q. of the statutes is created to read:

6 252.14 (1) (ar) 4q. An athletic trainer licensed under subch. VI of ch. 448.”.

7 **1371.** Page 1215, line 22: delete “2001” and substitute “2002”.

8 **1372.** Page 1218, line 17: after that line insert:

9 “**SECTION 2440g.** 254.115 (1) (intro.) of the statutes is amended to read:

10 254.115 (1) (intro.) The Except as provided in sub. (1m), the department shall
11 require each applicant to provide the department with the applicant’s social security
12 number, if the applicant is an individual, or the applicant’s federal employer
13 identification number, if the applicant is not an individual, as a condition of issuing
14 or renewing any of the following:

15 **SECTION 2440h.** 254.115 (1m) of the statutes is created to read:

16 254.115 (1m) If an individual who applies for or to renew a certification,
17 certification card or permit under sub. (1) does not have a social security number, the
18 individual, as a condition of obtaining the certification, certification card or permit,
19 shall submit a statement made or subscribed under oath or affirmation to the
20 department that the applicant does not have a social security number. The form of
21 the statement shall be prescribed by the department of workforce development. A
22 certification, certification card or permit issued or renewed in reliance upon a false
23 statement submitted under this subsection is invalid.

24 **SECTION 2440i.** 254.115 (3) of the statutes is amended to read:

254.115 (3) The Except as provided in sub. (1m), the department shall deny an application for the issuance or renewal of a certification, certification card or permit specified in sub. (1) if the applicant does not provide the information specified in sub. (1).”.

1373. Page 1233, line 19: after that line insert:

“SECTION 2485t. 255.05 (1) (a) of the statutes is amended to read:

255.05 (1) (a) "Institution" means any hospital, nursing home, county home, county mental hospital, tuberculosis sanatorium, community-based residential facility or other place licensed or approved by the department under ss. s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, 58.06, 252.073 and 252.076.".

1374. Page 1233, line 19: after that line insert:

“**SECTION 2485g.** Subchapter IX (title) of chapter 254 [precedes 254.911] of the statutes is created to read:

CHAPTER 254

SUBCHAPTER IX

INVESTIGATIONS OF THE SALE OR

GIFT OF CIGARETTES OR

TOBACCO PRODUCTS TO MINORS

SECTION 2485h. 254.911 of the statutes is created to read:

254.911 Definitions. In this subchapter:

(1) “Cigarette” has the meaning given in s. 139.30 (1).

(2) “Governmental regulatory authority” means the department; the local health department, state agency or law enforcement agency with which the department contracts under s. 254.916 (1) (a); or the person with whom the local

1 health department, state agency or law enforcement agency contracts under s.
2 254.916 (1) (a).

3 (3) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

4 (4) “Retailer” has the meaning given in s. 134.66 (1) (g).

5 (5) “Retail outlet” means a place of business from which cigarettes or tobacco
6 products are sold at retail to consumers.

7 (6) “State agency” has the meaning given in s. 1.12 (1) (b).

8 (7) “Tobacco products” has the meaning given in s. 139.75 (12).

9 (8) “Tobacco vending machine” is any mechanical device that automatically
10 dispenses cigarettes or tobacco products when money or tokens are deposited in the
11 device in payment for the cigarettes or tobacco products.

12 (9) “Tobacco vending machine operator” means a person who acquires tobacco
13 products or stamped cigarettes from manufacturers, as defined in s. 134.66 (1) (e),
14 or permittees, stores them and sells them through the medium of tobacco vending
15 machines that he or she owns, operates or services and that are located on premises
16 that are owned or under the control of other persons.

17 (10) “Tobacco vending machine premises” means any area in which a tobacco
18 vending machine is located.

19 **SECTION 2485j.** 254.916 of the statutes is created to read:

20 **254.916 Department; authority.** (1) (a) In the administration of this
21 subchapter, the department may contract with local health departments, as agents
22 of the department, with a state agency or with law enforcement agencies of the state,
23 or of a county, city, village or town, to cause unannounced investigations to be
24 conducted at least annually at retail outlets, including sites of tobacco vending
25 machines, to survey overall levels of compliance with s. 134.66 (2) (a) and (am). A

1 person with whom the department contracts under this paragraph may contract
2 with another person to conduct the investigations. Except any survey conducted
3 under 21 CFR part 897, the survey under this subsection shall cover a range of retail
4 outlets that are not preselected on the basis of prior violations, in order to measure
5 overall levels of compliance as well as to identify violations. The survey shall be
6 conducted so as to provide a sample of retail outlets that reflects the distribution of
7 minors throughout the state and the distribution of the retail outlets throughout the
8 state where minors are likely to attempt to purchase cigarettes. The survey shall
9 include all types of retail outlets that are required to comply with s. 134.66 (2) (a) and
10 (am). The department shall use statistically sound sampling techniques in designing
11 the annual surveys so as to measure overall levels of compliance and shall stratify
12 the sample so as to measure compliance by type of retail outlet, including a private
13 place of business other than a retail establishment, but not including a barroom, as
14 defined in s. 125.51 (3m) (a), that is located on premises described in a license issued
15 under s. 125.26 or 125.51 (3).

16 (b) The department, in consultation with retailers and governmental
17 regulatory authorities, shall establish standards for procedures and training for
18 conducting investigations under this section.

19 (c) No retailer may be subject to unannounced investigations more than twice
20 annually unless the retailer is found to have violated s. 134.66 (2) (a) or (am) during
21 each investigation. Investigations conducted under sub. (12) may not be considered
22 unannounced investigations for purposes of this paragraph.

23 **(2)** With the permission of his or her parent or guardian, a person under 18
24 years of age, but not under 15 years of age, may buy, attempt to buy or possess any
25 cigarette or tobacco product if all of the following are true:

1 (a) The person commits the act for the purpose of conducting an investigation
2 under this section.

3 (b) The person is directly supervised during the conducting of the investigation
4 by an adult employe of a governmental regulatory authority.

5 (c) The person has prior written authorization to commit the act from a
6 governmental regulatory authority or a district attorney or from an authorized agent
7 of a governmental regulatory authority or a district attorney.

8 **(3)** (a) All of the following, unless otherwise specified, apply in conducting
9 investigations under this section:

10 (a) If questioned about his or her age during the course of an investigation, the
11 minor shall state his or her true age.

12 (b) A minor may not be used for the purposes of an investigation at a retail
13 outlet at which the minor is a regular customer.

14 (c) The appearance of a minor may not be materially altered so as to indicate
15 greater age.

16 (d) A photograph or videotape of the minor shall be made before or after the
17 investigation or series of investigations on the day of the investigation or series of
18 investigations. If a prosecution results from an investigation, the photograph or
19 videotape shall be retained until the final disposition of the case.

20 (e) A governmental regulatory authority shall make a good faith effort to make
21 known to the retailer or the retailer's employe or agent, within 72 hours after the
22 occurrence of the violation, the results of an investigation, including the issuance of
23 any citation by a governmental regulatory authority for a violation that occurs
24 during the conduct of the investigation. This paragraph does not apply to
25 investigations conducted under a grant received under 42 USC 300x-021.

1 (f) Except with respect to investigations conducted under 42 USC 300x–021 or
2 21 CFR part 897, all of the following information shall be reported to the department,
3 and to the retailer, within 10 days after the conduct of an investigation under this
4 section:

5 1. The name and position of the governmental regulatory authority employee
6 who directly supervised the investigation.

7 2. The age of the minor.

8 3. The date and time of the investigation.

9 4. A reasonably detailed description of the circumstances giving rise to a
10 violation, if any, or, if there is no violation, written notice to that effect.

11 5. Any other relevant information requested by the department.

12 **(4)** No results of an investigation conducted under this section may be included
13 in the survey specified under sub. (1) if it is proved that the requirements under sub.
14 (3) were not met in conducting the investigation.

15 **(5)** No evidence obtained during or otherwise arising from the course of an
16 investigation under this section that is used to prosecute a person for a violation of
17 s. 134.66 (2) (a) or (am) may be used in the prosecution of an alleged violation of s.
18 125.07 (3).

19 **(6)** The department shall compile the results of investigations performed under
20 this section and shall prepare an annual report that reflects the results for
21 submission with the state's application for federal funds under 42 USC 300x–21. The
22 report shall be published for public comment at least 60 days before the beginning
23 of negotiations under sub. (7).

1 **(7)** The department shall strive annually to negotiate with the federal
2 department of health and human services realistic and attainable interim
3 performance targets for compliance with 42 USC 300x–26.

4 **(8)** A governmental regulatory agency under this section shall meet standards
5 established by the department of health and family services. The department shall
6 annually evaluate the investigation program of each governmental regulatory
7 authority. If, at any time, a governmental regulatory authority fails to meet the
8 standards, the department of health and family services may terminate the contract
9 under sub. (1).

10 **(9)** The department shall provide education and training to governmental
11 regulatory authorities to ensure uniformity in the enforcement of this subchapter.

12 **(10)** This section does not limit the authority of the department to investigate
13 establishments in jurisdictional areas of governmental regulatory authorities if the
14 department investigates in response to an emergency, for the purpose of monitoring
15 and evaluating the governmental regulatory authority's investigation and
16 enforcement program or at the request of the governmental regulatory authority.

17 **(11)** The department shall hold a hearing under ch. 227 if any interested
18 person, in lieu of proceeding under ch. 68, appeals to the department alleging that
19 the person making an investigation of the appellant has a financial interest in a
20 regulated cigarette and tobacco product retailer, tobacco vending machine operator,
21 tobacco vending machine premises or tobacco vending machine which may interfere
22 with his or her ability to properly take that action.

23 **(12)** This section does not apply to surveys conducted by local units of
24 government that have not entered into a contract under sub. (1), to determine overall
25 levels of compliance with s. 134.66 (2) (a) and (am). No results obtained under such

1 surveys may be used for the purpose of issuing warnings or citations or any other
2 enforcement mechanism.

3 **(13)** The requirements of subs. (1) to (12) do not apply to investigations of retail
4 establishments conducted by the city of Madison, or the local health department or
5 law enforcement agency of the city of Madison, in its jurisdictional area to determine
6 compliance with and to enforce s. 134.66 (2).

7 **SECTION 2485L.** 254.92 (2) (b) of the statutes is created to read:

8 254.92 **(2)** (b) A person under 18 years of age, but not under 15 years of age,
9 may purchase, attempt to purchase or possess cigarettes or tobacco products in the
10 course of his or her participation in an investigation under s. 254.916 that is
11 conducted in accordance with s. 254.916 (3).”.

12 **1375.** Page 1233, line 22: delete that line and substitute “section, “board”
13 means the tobacco control board.”.

14 **1376.** Page 1233, line 23: delete the material beginning with that line and
15 ending with page 1234, line 19, and substitute:

16 **“(1m) DUTIES.** The board shall do all of the following:

17 (a) Appoint an executive director within the classified service who shall employ
18 staff within the classified service with appropriate programmatic and technical
19 expertise.

20 (b) Administer the grant program under sub. (3).

21 (c) Promulgate rules establishing criteria for recipients of grants awarded
22 under sub. (3), including performance–based standards for grant recipients that
23 propose to use the grant for media efforts. The board shall ensure that programs or
24 projects conducted under the grants are culturally sensitive.

1 (d) Provide a forum for the discussion, development, and recommendation of
2 public policy alternatives in the field of smoking cessation and prevention.

3 (e) Provide a clearinghouse of information on matters relating to tobacco issues
4 and how they are being met in different places throughout the nation such that both
5 lay and professional groups in the field of government, health care and education
6 may have additional avenues for sharing experiences and interchanging ideas in the
7 formulation of public policy on tobacco.

8 (f) Develop and prepare an annual plan regarding the allocation of funding for
9 a statewide tobacco control program based on successful tobacco control programs in
10 other states and based on recommendations of the U.S. Centers for Disease Control
11 regarding the allocation of funding for comprehensive tobacco control programs.”.

12 **1377.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute “20.436 (1)
13 (tc)”.

14 **1378.** Page 1234, line 21: delete “department” and substitute “board”.

15 **1379.** Page 1235, line 11: delete lines 11 to 19 and substitute:

16 “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute
17 grants for any of the following:”.

18 **1380.** Page 1236, line 8: after that line insert:

19 “10. Development of policies that restrict access to tobacco products and reduce
20 exposure to environmental tobacco smoke.”.

21 **1381.** Page 1236, line 11: delete lines 11 to 21 and substitute:

22 “(4) REPORTS. Not later than July 1, 2001, and annually thereafter, the board
23 shall submit to the governor and to the chief clerk of each house of the legislature for
24 distribution under s. 13.172 (2) a report that evaluates the success of the grant

1 program under sub. (3). The report shall specify the number of grants awarded
2 during the immediately preceding fiscal year and the purpose for which each grant
3 was made. The report shall also specify donations and grants accepted by the board
4 under sub. (5).

5 (5) FUNDS. The board may accept for any of its purposes any donations and
6 grants of money, equipment, supplies, materials and services from any person. The
7 board shall include in the report under sub. (4) any donation or grant accepted by the
8 board under this subsection, including the nature, amount and conditions, if any, of
9 the donation or grant and the identity of the donor.

10 (6) SUBCOMMITTEES. The board may create subcommittees to assist in its work.
11 If the board creates subcommittees, one of the subcommittees shall address the issue
12 of populations most adversely affected by tobacco.”.

13 **1382.** Page 1238, line 10: after that line insert:

14 “SECTION 2487x. 281.165 of the statutes is created to read:

15 **281.165 Compliance with water quality standards for wetlands. (1)**

16 COMPLIANCE; EXEMPTION. An activity shall be considered to comply with the water
17 quality standards that are applicable to wetlands and that are promulgated as rules
18 under s. 281.15 and is exempt from any prohibition, restriction, requirement, permit,
19 license, approval, authorization, fee, notice, hearing, procedure or penalty specified
20 under s. 29.601 (3) or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any
21 rule promulgated, order issued or ordinance adopted under any of those sections or
22 chapters, if the activity meets all of the requirements under either sub. (2) or (3).

23 (2) TREMPLEAU COUNTY. Subsection (1) applies to an activity that meets all
24 of the following requirements:

1 (a) The wetland area that will be affected by the activity is less than 15 acres
2 in size.

3 (b) The site of the activity is zoned for industrial use and is in the vicinity of
4 a manufacturing facility.

5 (c) The site of the activity is within the corporate limits of a city on January 1,
6 1999.

7 (d) The governing body of the city adopts a resolution stating that the
8 exemption under this section is necessary to protect jobs that exist in the city on the
9 date of the adoption of the resolution or is necessary to promote job creation.

10 (e) The site of the activity is located in Trempealeau County.

11 **(3) DUNN COUNTY.** (a) Subsection (1) applies to an activity that meets the
12 requirements under sub. (2) (c) and (d) and all of the following requirements:

13 1. The wetland area that will be affected by the activity is no more than 4.2
14 acres in size.

15 2. The site of the activity is zoned for technology park use and is in the vicinity
16 of a manufacturing facility.

17 3. The site of the activity is located in Dunn County.

18 (b) Before any person engages in the activity described in par. (a), the U.S.
19 Army Corps of Engineers shall have issued a permit for the activity that contains a
20 mitigation plan that requires the creation of at least 1.5 acres of wetland for each acre
21 of wetland affected by the activity.”.

22 **1383.** Page 1239, line 2: after that line insert:

23 “**SECTION 2490z.** 281.57 (10t) of the statutes is created to read:

1 281.57 (10t) LOAN FOR A DRINKING WATER TREATMENT PLANT. Notwithstanding
2 subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall
3 provide a loan of \$1,100,000 to the village of Marathon for the upgrading or
4 replacement of a drinking water treatment plant. The department may not charge
5 any interest on the loan. The department may not require the municipality to repay
6 the loan until the municipality receives a grant from the federal environmental
7 protection agency for the upgrading or replacement of the drinking water treatment
8 plant. If the federal environmental protection agency denies the grant or a portion
9 of the grant, the village of Marathon shall repay the amount of the loan that exceeds
10 the amount of the grant.”.

11 **1384.** Page 1244, line 5: substitute “\$12,600,000” for “\$5,200,000”.

12 **1385.** Page 1245, line 7: delete “and the” and substitute “, the”.

13 **1386.** Page 1245, line 8: after “loan program” insert “and the safe drinking
14 water loan program”.

15 **1387.** Page 1245, line 12: delete “or the” and substitute “, the”.

16 **1388.** Page 1245, line 13: after “program” insert “or the safe drinking water
17 loan program”.

18 **1389.** Page 1246, line 7: after “loan program” insert “plus the amounts
19 required to be paid under s. 20.320 (2) (c) and (u) for the safe drinking water loan
20 program”.

21 **1390.** Page 1246, line 10: after that line insert:

22 “**SECTION 2510m.** 281.59 (4) (f) of the statutes is amended to read:

1 281.59 (4) (f) Revenue obligations may be contracted by the building
2 commission when it reasonably appears to the building commission that all
3 obligations incurred under this subsection can be fully paid on a timely basis from
4 moneys received or anticipated to be received. Revenue obligations issued under this
5 subsection for the clean water fund program and the urban storm water loan
6 program shall not exceed \$1,297,755,000 in principal amount, excluding obligations
7 issued to refund outstanding revenue obligation notes. Revenue obligations issued
8 under this subsection for the safe drinking water loan program shall not exceed
9 \$27,700,000 in principal amount, excluding obligations issued to refund outstanding
10 revenue obligation notes.”.

11 **1391.** Page 1276, line 4: after that line insert:

12 “**SECTION 2554j.** 285.48 of the statutes is created to read:

13 **285.48 Nitrogen oxide emissions reductions. (1) DEFINITIONS.** In this
14 section:

15 (a) “Call” means a call to implement a state implementation plan that is issued
16 by the federal environmental protection agency before the effective date of this
17 paragraph [revisor inserts date], or after that date arising out of a call issued
18 before that date, including a call issued after that date pursuant to a federal court
19 order or otherwise.

20 (b) “Electric cooperative” has the meaning given in s. 76.48 (1g) (c).

21 (c) “Midcontinent area” has the meaning given in s. 16.958 (1) (e).

22 (d) “Northwestern county” means Ashland, Barron, Bayfield, Buffalo, Burnett,
23 Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse, Monroe,

1 Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vernon or
2 Washburn county.

3 (e) “Other county” means a county that is not a northwestern county.

4 (f) “Public utility” has the meaning given in s. 196.01 (5).

5 (g) “State implementation plan” means a state implementation plan for control
6 of atmospheric ozone in another state.

7 (h) “Summer” means the period beginning on May 1 and ending on September
8 30 of each year.

9 **(2) APPLICABILITY.** This section applies if the department of natural resources,
10 pursuant to a call, issues a state implementation plan that requires electric
11 generating facilities in the midcontinent area of this state to comply with nitrogen
12 oxide emission reduction requirements. If the department of natural resources
13 issues such a plan, the department of natural resources shall notify the department
14 of administration and the public service commission. The notice shall specify the
15 date on which electric generating facilities in the midcontinent area of this state are
16 required to comply with the initial nitrogen oxide emission reduction requirements.

17 **(3) NITROGEN OXIDE EMISSIONS STANDARDS AND LIMITATIONS.** (a) In establishing
18 nitrogen oxide emission reduction requirements for the control of atmospheric ozone
19 in another state pursuant to a call, the department may not, in a state
20 implementation plan, by rule or through the adoption of control strategies, establish
21 nitrogen oxide emissions standards or limitations that do any of the following:

22 1. Require less than 2,234 tons, or the greater number of tons determined under
23 par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating
24 facilities located in northwestern counties that are owned by electric cooperatives.

1 2. Require less than 315 tons, or the greater number of tons determined under
2 par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating
3 facilities located in northwestern counties that are owned by public utilities.

4 3. Require less than 15,157 tons, or the greater number of tons determined
5 under par. (d) 1., in total nitrogen oxide emissions each summer from all electric
6 generating facilities located in other counties owned by public utilities or electric
7 cooperatives.

8 (b) The department shall issue emissions allowances in a number that is
9 sufficient to allow the emissions specified in par. (a).

10 (c) The department may not, based on this section, require reductions of
11 nitrogen oxide emissions that are in addition to any reductions required in a state
12 implementation plan from any of the following:

13 1. Any stationary source located in this state that is not an electric generating
14 facility owned by a public utility or electric cooperative.

15 2. Any mobile source.

16 (d) If the department of natural resources implements a state implementation
17 plan specified in sub. (2) in a manner that requires reductions in nitrogen oxide
18 emissions that are lower than the reductions set forth in the call published on
19 October 27, 1998, the department of natural resources shall do each of the following:

20 1. Determine the amounts by which the number of tons specified in par. (a) 1.,
21 2. and 3. shall be increased to reflect the lower reductions.

22 2. Take action that is necessary to relax any related emissions control
23 requirements in a manner that reflects the lower reductions.

1 3. Determine the amount by which the \$2,400,000 in assessments under s.
2 196.86 (2) shall be decreased to reflect the lower reductions and provide notice of the
3 decreased amount to the public service commission.

4 4. Determine the amount by which the \$2,500,000 that is transferred to the air
5 quality improvement fund under s. 16.958 (2) (a) shall be decreased to reflect the
6 lower reductions and provide notice of the decreased amount to the department of
7 administration.

8 **(4)** LOW-INCOME WEATHERIZATION AND ENERGY CONSERVATION MEASURES;
9 RENEWABLE ENERGY USES. The department shall ensure that at least 866 tons of total
10 annual reductions in nitrogen oxide emissions required under the state
11 implementation plan are achieved through any of the following:

12 (a) The use of renewable energy, including renewable energy that is provided
13 by electric providers for the purpose of complying with the requirements of s. 196.378
14 (2) (a), or renewable energy that is used under programs specified in s. 196.374 (2)
15 (d) that are funded by expenditures under s. 196.374 (3).

16 (b) The implementation of low-income weatherization and energy
17 conservation measures, including programs established under s. 16.957 (2) (a) or (b)
18 or programs specified in s. 196.374 (2) (a) or (b) that are funded by expenditures
19 under s. 196.374 (3).

20 **285.49 Trading program for nitrogen oxide emissions credits.** The
21 department shall establish or authorize air contaminant sources to participate in a
22 market-based trading program for the purchase, sale and transfer of nitrogen oxide
23 emissions credits for use in any state implementation plan under s. 285.11 (6) that
24 requires reductions in nitrogen oxide emissions. To the extent allowed under federal
25 law, the department shall allow nitrogen oxide emissions reductions by any source

1 in this state, regardless of whether the source is subject to nitrogen oxide controls
2 under a state implementation plan, to be purchased, sold or transferred under the
3 trading program.”.

4 **1392.** Page 1277, line 18: after that line insert:

5 “**SECTION 2556.** 285.69 (2) (c) (intro.) of the statutes is amended to read:

6 285.69 (2) (c) (intro.) The fees collected under ~~par.~~ pars. (a) and (e) shall be
7 credited to the appropriations under s. 20.370 (2) (bg), (3) (bg), (8) (mg) and (9) (mh)
8 for the following:

9 **SECTION 2557c.** 285.69 (2) (e) of the statutes is created to read:

10 285.69 (2) (e) Beginning in 2001, the owner or operator of a stationary source
11 for which an operation permit is required shall pay to the department an annual fee
12 of \$2.86 per ton of actual emissions in the preceding year of all air contaminants on
13 which the fee under par. (a) is based.”.

14 **1393.** Page 1278, line 17: delete the material beginning with that line and
15 ending with page 1279, line 10, and substitute:

16 “**SECTION 2560e.** 287.23 (3) (a) of the statutes is repealed and recreated to read:

17 287.23 (3) (a) Subject to par. (am), a responsible unit is eligible for assistance
18 under this section for a year before 2000 if the responsible unit has been determined
19 under s. 287.11 to have an effective recycling program.

20 **SECTION 2560f.** 287.23 (3) (ac) of the statutes is created to read:

21 287.23 (3) (ac) Subject to par. (am), a responsible unit is eligible for assistance
22 under this section for 2000 if the responsible unit received assistance under this
23 section for 1999 and the responsible unit has been determined under s. 287.11 to have
24 an effective recycling program.

1 **SECTION 2560g.** 287.23 (3) (ae) of the statutes is created to read:

2 287.23 **(3)** (ae) Subject to par. (am), a responsible unit is eligible for assistance
3 under this section for a year after 2000 if the responsible unit has been determined
4 under s. 287.11 to have an effective recycling program and one of the following
5 applies:

6 1. The responsible unit has a residential collection program that serves 50%
7 or more of the population of the responsible unit, that collects, at least monthly,
8 newspaper, corrugated paper, magazines, aluminum containers, steel containers,
9 containers made of polyethylene terephthalate and high-density polyethylene and
10 glass containers and that is operated by the responsible unit under a contract,
11 franchise license or ordinance that requires at least monthly collection of these
12 materials.

13 2. The responsible unit has a drop-off program, that serves more than 50% of
14 the population of the responsible unit, for collecting newspaper, corrugated paper,
15 magazines, aluminum containers, steel containers, containers made of polyethylene
16 terephthalate and high-density polyethylene and glass containers taken by
17 individuals to a drop-off site that is owned by the responsible unit or is provided
18 under a contract with another person and that is adequate in size and hours of
19 operation to meet the needs of the responsible unit.

20 **SECTION 2560h.** 287.23 (3) (ag) of the statutes is created to read:

21 287.23 **(3)** (ag) The department shall determine the population served by a
22 residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based
23 on information provided by the responsible unit for the year 2 years before the year
24 for which the department is determining the responsible unit's eligibility.

25 **SECTION 2560i.** 287.23 (5) (intro.) of the statutes is amended to read:

1 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) The For years before
2 2000, the department shall award a grant under this subsection to each eligible
3 responsible unit that submits a complete grant application under sub. (4) for
4 expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p),
5 the amount of the grant under this subsection shall be determined as follows:

6 **SECTION 2562e.** 287.23 (5b) of the statutes is created to read:

7 287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a
8 grant under this subsection to each eligible responsible unit that submits a complete
9 grant application under sub. (4) for expenses allowable under sub. (3) (b). The
10 department shall determine the amount of the grants under this subsection as
11 follows:

12 (a) Determine the total amount that would have been awarded under this
13 section for 1999 if no grants had been reduced under sub. (5p).

14 (b) Determine the amount that each responsible unit received under this
15 section for 1999 or, for a responsible unit that had its grant for 1999 reduced under
16 sub. (5p), the amount that the responsible unit would have received if its grant had
17 not been reduced.

18 (c) Award to a responsible unit the proportion of the total amount available for
19 grants under this section for 2000 that is equal to the proportion of the amount
20 determined under par. (a) that the responsible unit received, or would have received,
21 for 1999 as determined under par. (b).

22 **SECTION 2562m.** 287.23 (5d) of the statutes is created to read:

23 287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000. (a) Beginning with grants for
24 the year 2001, the department shall award a grant under this subsection to each

1 eligible responsible unit that submits a complete grant application under sub. (4) for
2 expenses allowable under sub. (3) (b).

3 (b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award
4 an eligible responsible unit a grant under this subsection equal to \$7.90 times the
5 population of the responsible unit if the responsible unit has a residential collection
6 program that complies with sub. (3) (ae) 1. and the department shall award an
7 eligible responsible unit a grant equal to \$4.40 times the population of the
8 responsible unit if the responsible unit has a drop-off program that complies with
9 sub. (3) (ae) 2.

10 (c) A grant to a responsible unit under this subsection may not exceed the
11 allowable expenses under sub. (3) (b) that the responsible unit incurred in the year
12 2 years before the year for which the grant is made.

13 (d) If the available funds are insufficient to pay the grant amounts determined
14 under pars. (b) and (c), the department shall prorate the available funds.

15 **SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to read:

16 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after
17 October 1 but no later than October 10, the amount of the responsible unit's grant
18 is 95% of the amount determined under sub. (5), (5d) or (5m).

19 **SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to read:

20 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after
21 October 10 but no later than October 20, the amount of the responsible unit's grant
22 is 90% of the amount determined under sub. (5), (5d) or (5m).

23 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

1 287.23 **(5p)** (c) If a responsible unit submits its application under sub. (4) after
2 October 20 but no later than October 30, the amount of the responsible unit's grant
3 is 75% of the amount determined under sub. (5), (5d) or (5m).

4 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

5 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

6 287.23 **(6)** DISBURSEMENT. The department shall disburse 50% of a grant to the
7 applicant ~~upon~~ after approval, but no later than ~~February~~ June 1 of the year for
8 which the grant is made.

9 **SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

10 **1394.** Page 1279, line 10: after that line insert:

11 “**SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

12 **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

13 **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

14 **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and
15 amended to read:

16 560.031 **(1)** (c) “Recovered material” means a material ~~specified by the board~~
17 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

18 **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and
19 amended to read:

20 560.031 **(1)** (e) “Waste generator” means a person who generates solid waste
21 ~~that contains a material specified by the board under s. 287.42 (5)~~ or a responsible
22 unit.

23 **SECTION 2565h.** 287.41 of the statutes is repealed.

24 **SECTION 2565i.** 287.42 of the statutes is repealed.

1 **SECTION 2565j.** 287.44 of the statutes is repealed.

2 **SECTION 2565k.** 287.46 of the statutes is repealed.

3 **SECTION 2565L.** 287.48 of the statutes is repealed.”.

4 **1395.** Page 1280, line 7: after that line insert:

5 “**SECTION 2569k.** 289.645 of the statutes is created to read:

6 **289.645 Recycling fee. (1)** IMPOSITION OF RECYCLING FEE ON GENERATORS.

7 Except as provided under sub. (4), a generator of solid waste or hazardous waste shall
8 pay a recycling fee for each ton or equivalent volume of solid waste or hazardous
9 waste that is disposed of at a licensed solid waste or hazardous waste disposal
10 facility. If a person arranges for collection or disposal services on behalf of one or
11 more generators, that person shall pay the recycling fee to the licensed solid waste
12 or hazardous waste disposal facility or to any intermediate hauler used to transfer
13 wastes from collection points to a licensed facility. An intermediate hauler who
14 receives the recycling fee under this subsection shall pay the fee to the licensed solid
15 waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be
16 calculated in the same manner as the calculation made for tonnage fees under s.
17 289.62 (1).

18 **(2) COLLECTION.** The owner or operator of a licensed solid waste or hazardous
19 waste disposal facility shall collect the recycling fee from the generator, a person who
20 arranges for disposal on behalf of one or more generators or an intermediate hauler
21 and shall pay to the department the amount of the fee required to be collected
22 according to the amount of solid waste or hazardous waste received and disposed of
23 at the facility during the preceding reporting period.

24 **(3) AMOUNT OF RECYCLING FEE.** The fee imposed under this section is as follows:

1 (a) For all solid waste other than high-volume industrial waste, \$2 per ton.

2 (b) For all high-volume industrial waste, 30 cents per ton.

3 **(4) EXEMPTIONS FROM RECYCLING FEE.** (a) Solid waste materials approved by the
4 department for lining, daily cover or capping or for constructing berms, dikes or
5 roads within a solid waste disposal facility are not subject to the recycling fee
6 imposed under sub. (1), except that materials approved for use under s. 289.30 (5)
7 or 289.31 (9) are subject to the fee.

8 (b) Except as provided in par. (c), the recycling fee does not apply to waste
9 generated by an organization described in section 501 (c) (3) of the Internal Revenue
10 Code that is exempt from federal income tax under section 501 (a) of the Internal
11 Revenue Code, that derives a portion of its income from the operation of recycling and
12 reuse programs and that does one of the following:

13 1. Provides services and programs for people with disabilities.

14 2. Primarily serves low-income persons.

15 (c) Waste generated by an organization described in par. (b) which is
16 commingled with waste generated by a person other than an organization described
17 in par. (b) is subject to the fee.

18 **(5) PAYMENT.** The owner or operator of any licensed solid or hazardous waste
19 disposal facility shall pay the recycling fee required to be collected under sub. (2) as
20 follows:

21 (a) For waste disposed of from January 1 to March 31, no later than May 1.

22 (b) For waste disposed of from April 1 to June 30, no later than August 1.

23 (c) For waste disposed of from July 1 to September 30, no later than November

24 1.

1 (d) For waste disposed of from October 1 to December 31, no later than
2 February 1.

3 (6) USE OF RECYCLING FEES. The fees collected under sub. (2) shall be deposited
4 in the recycling fund.

5 (7) FAILURE TO PAY RECYCLING FEE. (a) If a person required under sub. (1) to pay
6 the recycling fee to a licensed solid waste or hazardous waste disposal facility fails
7 to pay the fee, the owner or operator of the licensed solid waste or hazardous waste
8 disposal facility shall submit to the department with the payment required under
9 sub. (2) an affidavit stating facts sufficient to show the person's failure to comply with
10 sub. (1).

11 (b) If the person named in the affidavit under par. (a) is a generator or a person
12 who arranges for collection or disposal services on behalf of one or more generators
13 and the person holds a license for the collection and transportation of solid waste or
14 hazardous waste, the department shall immediately notify the person that the
15 license will be suspended 30 days after the date the notice is mailed unless the person
16 submits to the department an affidavit stating facts sufficient to show that it has
17 paid the fee as required under sub. (1).

18 (c) If the person named in the affidavit under par. (a) is an intermediate hauler
19 that holds a license for the collection and transportation of solid waste or hazardous
20 waste, the department shall immediately notify the person that the license will be
21 suspended 30 days after the date the notice is mailed unless the person submits to
22 the department an affidavit stating facts sufficient to show that either of the
23 following has occurred:

24 1. The person named in the affidavit under par. (a) received the required fee
25 from a generator, from a person who arranges for collection or disposal services on

1 behalf of one or more generators or from an earlier intermediate hauler, and paid the
2 fee to the licensed solid waste or hazardous waste disposal facility or to a subsequent
3 intermediate hauler.

4 2. A generator, a person who arranges for collection or disposal services on
5 behalf of one or more generators or an earlier intermediate hauler failed to pay the
6 required fee to the person named in the affidavit under par. (a).

7 (d) If the department does not receive an affidavit under par. (b) or (c) within
8 30 days after the date the notice is mailed, the department shall suspend the license
9 issued to the person for the collection and transportation of solid waste or hazardous
10 waste. Notwithstanding s. 227.42, the department is not required to provide the
11 licensee with a hearing before the suspension.

12 (e) When a person whose license is suspended under par. (d) provides the
13 department with proof that the person has paid the owner or operator of the licensed
14 solid waste or hazardous waste facility the amount of the unpaid fee, the department
15 shall immediately reinstate the suspended license.

16 **SECTION 2569L.** 289.67 (1) (cm) of the statutes is amended to read:

17 289.67 **(1)** (cm) *Amount of environmental repair fee.* Except as provided under
18 par. (d), the environmental repair fee imposed under par. (a) is 15 cents per ton for
19 solid or hazardous waste received by a licensed solid or hazardous waste disposal
20 facility after December 31, 1985, but before July 1, 1989, and 20 cents per ton for solid
21 or hazardous waste received by a licensed solid or hazardous waste disposal facility
22 on or after July 1, 1989.

23 **SECTION 2569m.** 289.67 (1) (cp) of the statutes is amended to read:

24 289.67 **(1)** (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)
25 and except as provided under par. (d), the environmental repair fee imposed under

1 par. (a) is ~~30~~ 32.3 cents per ton for solid or hazardous waste, other than high-volume
2 industrial waste, ~~disposed of on or after January 1, 1988, but before July 1, 1989,~~
3 and 50 cents per ton disposed of on or after July 1, 1989.”.

4 **1396.** Page 1282, line 21: after that line insert:

5 “**SECTION 2581r.** 292.13 (1) (intro.) of the statutes is amended to read:

6 292.13 (1) EXEMPTION FROM LIABILITY FOR GROUNDWATER CONTAMINATION. (intro.)

7 A person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and
8 (c) with respect to the existence of a hazardous substance in the groundwater on
9 property possessed or controlled by the person if all of the following apply:

10 **SECTION 2581w.** 292.13 (1m) (intro.) of the statutes is amended to read:

11 292.13 (1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A
12 person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and (c)
13 with respect to the existence of a hazardous substance in the soil on property
14 possessed or controlled by the person if all of the following apply:”.

15 **1397.** Page 1295, line 11: delete lines 11 to 14 and substitute:

16 “(b) A local governmental unit may not recover costs in an action under sub. (2)
17 from a person listed in par. (a) if any of the following applies:

18 1. The person is exempt from liability under s. 292.11 (9) (e), 292.13, 292.15,
19 292.16, 292.19 or 292.21 with respect to the discharge that is the subject of the action.

20 2. The person has entered into a consent order under this chapter or ch. 289
21 or 291 or an agreement under s. 292.11 (7) (d) or 292.31 (8) (h) with respect to the
22 discharge that is the subject of the action and the person is in compliance with the
23 consent order or agreement.

1 3. The person is exempt from liability under s. 292.35 (9) (e) with respect to the
2 discharge that is the subject of the action.

3 4. The discharge that was caused by the person and that is the subject of the
4 action was in compliance with a permit, license, approval, special order, waiver or
5 variance issued under ch. 283 or 285 or under corresponding federal statutes or
6 regulations.”.

7 **1398.** Page 1296, line 15: after “2.” insert “less the amount that the local
8 governmental unit is unable to recover because of the exemptions in sub. (3) (b) 3.
9 and 4.”.

10 **1399.** Page 1300, line 1: delete lines 1 to 5.

11 **1400.** Page 1302, line 5: after “received.” insert “The amounts collected by the
12 department under this subsection shall be deposited in the dry cleaner
13 environmental response fund.”.

14 **1401.** Page 1302, line 6: delete lines 6 to 13.

15 **1402.** Page 1303, line 20: after that line insert:

16 “**SECTION 2648c.** 292.70 of the statutes is created to read:

17 **292.70 Indemnification for disposal of polychlorinated biphenyls. (1)**

18 DEFINITION. In this section, “PCBs” has the meaning given in s. 299.45 (1) (a).

19 **(2)** INDEMNIFICATION AGREEMENTS CONCERNING DISPOSAL OF CONTAMINATED
20 SEDIMENTS. Subject to sub. (4), the department may enter into an agreement with a
21 municipality under which this state agrees to indemnify the municipality and its
22 agencies, officials, employees and agents against liability for damage to persons,
23 property or the environment resulting from the municipality’s acceptance for

1 disposal of sediments that are from the Great Lakes basin and are contaminated
2 with PCBs, if the sediments are disposed of in a manner approved by the department.

3 **(3) INDEMNIFICATION AGREEMENTS CONCERNING TREATMENT OF CONTAMINATED**
4 **LEACHATE.** Subject to sub. (4), the department may enter into an agreement with a
5 municipality under which this state agrees to indemnify the municipality and its
6 agencies, officials, employees and agents against any liability for damage to persons,
7 property or the environment resulting from the municipality's conveyance or
8 treatment of leachate that is contaminated with PCBs and that is from a landfill that
9 accepts sediments contaminated with PCBs, if the leachate is treated in a manner
10 approved by the department.

11 **(4) REQUIREMENTS.** The department may enter into an agreement under sub.
12 (2) or (3) only if all of the following apply:

13 (a) The agreement is approved by the governor, the attorney general, the
14 secretary and the governing body of the municipality.

15 (b) The agreement specifies a method for determining whether the
16 municipality is liable for damage described in sub. (2) or (3).

17 (c) The agreement requires the municipality to notify the department and the
18 attorney general when a claim or lawsuit to which the agreement may apply is filed
19 against the political subdivision.

20 (d) The agreement authorizes the attorney general to intervene on behalf of the
21 municipality and this state in any lawsuit to which the agreement may apply.

22 (e) The agreement requires the operator of the solid waste disposal facility or
23 wastewater treatment facility to minimize risks related to PCBs.

(f) The agreement authorizes the department to require the operator of the solid waste disposal facility or wastewater treatment facility to operate in a manner specified by the department in order to minimize risks related to PCBs.

(5) LIMITATION. The department may include in an agreement under sub. (4) a limitation on the amount that this state will pay to a municipality under the agreement.

(6) IMMUNITY. This section and any agreement entered into under sub. (3) or (4) may not be construed as consent to sue this state.

(7) REVIEW AND PAYMENT. If a claim is filed under an agreement under sub. (2) or (3), the department shall review the claim to determine whether it is valid. A valid claim shall be paid from the appropriation under s. 20.370 (2) (fq).”.

1403. Page 1306, line 16: before “Green” insert “Beloit, the city of”.

1404. Page 1307, line 6: after that line insert:

“(e) To the city of Beloit, \$200,000.”.

1405. Page 1308, line 19: delete the material beginning with that line and ending with page 1309, line 11.

1406. Page 1310, line 7: after that line insert:

“**SECTION 2653v.** 299.07 (1) (a) (intro.) of the statutes is amended to read:

299.07 (1) (a) (intro.) The Except as provided in par. (am). the department shall require each applicant to provide the department with the applicant’s social security number, if the applicant is an individual, or the applicant’s federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing any of the following:

SECTION 2654c. 299.07 (1) (am) of the statutes is created to read:

1 299.07 (1) (am) 1. If an individual who applies for the issuance or renewal of
2 a license, registration or certification specified in par. (a) does not have a social
3 security number, the department shall require the applicant, as a condition of
4 issuing or renewing the license, registration or certification, to submit a statement
5 made or subscribed under oath or affirmation that the applicant does not have a
6 social security number. The statement shall be in the form prescribed by the
7 department of workforce development.

8 2. A license, registration or certification specified in par. (a) that is issued in
9 reliance on a statement submitted under subd. 1. is invalid if the statement is false.

10 **SECTION 2654e.** 299.08 (1) (a) (intro.) of the statutes is amended to read:

11 299.08 (1) (a) (intro.) The Except as provided in par. (am), the department shall
12 require each applicant who is an individual to provide the department with the
13 applicant's social security number as a condition of issuing or renewing any of the
14 following:

15 **SECTION 2654f.** 299.08 (1) (am) of the statutes is created to read:

16 299.08 (1) (am) 1. If an individual who applies for the issuance or renewal of
17 a license, registration or certification specified in par. (a) does not have a social
18 security number, the department shall require the applicant, as a condition of
19 issuing or renewing the license, registration or certification, to submit a statement
20 made or subscribed under oath or affirmation that the applicant does not have a
21 social security number. The statement shall be in the form prescribed by the
22 department of workforce development.

23 2. A license, registration or certification specified in par. (a) that is issued in
24 reliance on a statement submitted under subd. 1. is invalid if the statement is false.”.

1 **1407.** Page 1314, line 14: after that line insert:

2 “**SECTION 2683d.** 301.01 (2) (b) of the statutes is amended to read:

3 301.01 **(2)** (b) Any resident of a secured correctional facility, ~~as defined in s.~~
4 ~~938.02 (15m), or of a secured child caring institution, as defined in s. 938.02 (15g) or~~
5 a secured group home.

6 **SECTION 2684d.** 301.01 (3k) of the statutes is created to read:

7 301.01 **(3k)** “Secured child caring institution” has the meaning given in s.
8 938.02 (15g).

9 **SECTION 2685d.** 301.01 (3m) of the statutes is created to read:

10 301.01 **(3m)** “Secured correctional facility” has the meaning given in s. 938.02
11 (15m).

12 **SECTION 2686d.** 301.01 (3p) of the statutes is created to read:

13 301.01 **(3p)** “Secured group home” has the meaning given in s. 938.02 (15p).

14 **SECTION 2687d.** 301.01 (4) of the statutes is amended to read:

15 301.01 **(4)** “State correctional institution” means a state prison under s. 302.01
16 or a secured correctional facility, ~~as defined in s. 938.02 (15m), other than the~~
17 Mendota Juvenile Treatment Center operated by the department.

18 **SECTION 2688d.** 301.027 of the statutes is amended to read:

19 **301.027 Treatment program at one or more juvenile secured**
20 **correctional institutions facilities.** The department shall maintain a
21 cottage-based intensive alcohol and other drug abuse program at one or more
22 juvenile secured correctional institutions facilities.”.

1 **1408.** Page 1314, line 22: after “social security number” insert “or any
2 personal identifying information, as defined in s. 943.201 (1) (b), of an individual who
3 is not a prisoner”.

4 **1409.** Page 1315, line 8: after that line insert:

5 “**SECTION 2690d.** 301.03 (10) (d) of the statutes is amended to read:

6 301.03 **(10)** (d) Administer the office of juvenile offender review in the division
7 of juvenile corrections in the department. The office shall be responsible for decisions
8 regarding case planning, the release of juvenile offenders from juvenile secured
9 correctional ~~institutions~~ facilities or secured child caring institutions to aftercare
10 placements and the transfer of juveniles to the Racine youthful offender correctional
11 facility named in s. 302.01 as provided in s. 938.357 (4) (d).

12 **SECTION 2691d.** 301.03 (10) (e) of the statutes is amended to read:

13 301.03 **(10)** (e) Provide educational programs in all secured correctional
14 facilities, ~~as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment~~
15 Center operated by the department.

16 **SECTION 2692d.** 301.03 (10) (f) of the statutes is amended to read:

17 301.03 **(10)** (f) Provide health services and psychiatric services for residents of
18 all secured correctional facilities, ~~as defined in s. 938.02 (15m), other than the~~
19 Mendota Juvenile Treatment Center operated by the department.”.

20 **1410.** Page 1316, line 18: after that line insert:

21 “**SECTION 2693d.** 301.08 (1) (b) 3. of the statutes is amended to read:

22 301.08 **(1)** (b) 3. Contract with public, private or voluntary agencies for the
23 supervision, maintenance and operation of secured correctional facilities, ~~as defined~~
24 ~~in s. 938.02 (15m),~~ child caring institutions, as defined in s. 938.02 (2c), and secured

1 child caring institutions, ~~as defined in s. 938.02 (15g)~~, for the placement of juveniles
2 who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183
3 or 938.34 (4d), (4h) or (4m). The department may designate a secured correctional
4 facility, child caring institution or a secured child caring institution contracted for
5 under this subdivision as a Type 2 secured correctional facility, as defined in s. 938.02
6 (20), and may designate a child caring institution or secured child caring institution
7 contracted for under this subdivision as a Type 2 child caring institution, as defined
8 in s. 938.02 (19r).

9 **SECTION 2694d.** 301.08 (1) (b) 4. of the statutes is created to read:

10 301.08 (1) (b) 4. Contract with not more than 5 counties or with not more than
11 5 consortia of counties for the operation of not more than 5 secured group homes for
12 the placement of juveniles who have been convicted under s. 938.183 or adjudicated
13 delinquent under s. 983.183 or 938.34 (4m). The contract shall specify that the
14 county or counties operating a secured group home must comply with all rules of the
15 department that are applicable to the treatment of juveniles who are placed in a
16 secured correctional facility.”.

17 **1411.** Page 1317, line 8: delete lines 8 to 10.

18 **1412.** Page 1317, line 11: delete lines 11 to 23.

19 **1413.** Page 1318, line 1: delete lines 1 to 13.

20 **1414.** Page 1318, line 9: after that line insert:

21 “**SECTION 2699d.** 301.205 of the statutes is amended to read:

22 **301.205 Reimbursement to visiting families.** The department may
23 reimburse families visiting girls at a secured correctional facility, ~~as defined in s.~~
24 ~~938.02 (15m)~~. If the department decides to provide the reimbursement, it the

1 department shall establish criteria for the level of reimbursement, which shall
2 include family income and size and other relevant factors.”.

3 **1415.** Page 1318, line 20: after that line insert:

4 “**SECTION 2701d.** 301.26 (4) (cm) 1. of the statutes is amended to read:

5 301.26 **(4)** (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
6 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
7 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured
8 correctional institutions facilities, secured child caring institutions, ~~as defined in s.~~
9 ~~938.02 (15g)~~, alternate care providers, aftercare supervision providers and corrective
10 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
11 care of any juvenile 14 years of age or over who has been placed in a juvenile secured
12 correctional facility based on a delinquent act that is a violation of s. 939.31, 939.32
13 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10
14 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30 (2), 948.35 (1) (b)
15 or 948.36 and for the care of any juvenile 10 years of age or over who has been placed
16 in a juvenile secured correctional institution ~~or a facility~~ or secured child caring
17 institution for attempting or committing a violation of s. 940.01 or for committing a
18 violation of s. 940.02 or 940.05.

19 **SECTION 2702d.** 301.26 (4) (cm) 2. of the statutes is amended to read:

20 301.26 **(4)** (cm) 2. Notwithstanding pars. (a), (b) and (bm), the department shall
21 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
22 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured
23 correctional institutions facilities, secured child caring institutions, ~~as defined in s.~~
24 ~~938.02 (15g)~~, alternate care providers, aftercare supervision providers and corrective

1 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
2 care of any juvenile 14 years of age or over and under 18 years of age who has been
3 placed in a juvenile secured correctional facility under s. 48.366 based on a
4 delinquent act that is a violation of s. 940.01, 940.02, 940.05 or 940.225 (1).”.

5 **1416.** Page 1319, line 25: after that line insert:

6 “**SECTION 2706d.** 301.26 (4) (dt) of the statutes is amended to read:

7 301.26 (4) (dt) ~~For~~ Except as provided in pars. (e) to (g), for serious juvenile
8 offender services, all uniform fee collections under s. 301.03 (18) shall be credited to
9 the appropriation account under s. 20.410 (3) (hm).”.

10 **1417.** Page 1321, line 9: after that line insert:

11 “**SECTION 2709L.** 301.26 (7) (a) 3. of the statutes, as created by 1999 Wisconsin
12 Act (this act), is amended to read:

13 301.26 (7) (a) 3. Each county’s proportion of the number of juveniles statewide
14 who are placed in a ~~juvenile correctional institution or~~ secured correctional facility,
15 a secured child caring institution, ~~as defined in s. 938.02 (15g), or a secured group~~
16 home during the most recent 3-year period for which that information is available.”.

17 **1418.** Page 1322, line 12: after that line insert:

18 “**SECTION 2710d.** 301.263 (3) of the statutes is amended to read:

19 301.263 (3) The department shall distribute 33% of the amounts distributed
20 under sub. (1) based on each county’s proportion of the violent Part I juvenile arrests
21 reported statewide under the uniform crime reporting system of the office of justice
22 assistance in the department of administration, during the most recent 2-year
23 period for which that information is available. The department shall distribute 33%
24 of the amounts distributed under sub. (1) based on each county’s proportion of the

1 number of juveniles statewide who are placed in a juvenile secured correctional
2 institution or facility, a secured child caring institution, as defined in s. 938.02 (15g),
3 or a secured group home during the most recent 2-year period for which that
4 information is available. The department shall distribute 34% of the amounts
5 distributed under sub. (1) based on each county's proportion of the total Part I
6 juvenile arrests reported statewide under the uniform crime reporting system of the
7 office of justice assistance, during the most recent 2-year period for which that
8 information is available.”.

9 **1419.** Page 1323, line 13: after that line insert:

10 “**SECTION 2712d.** 301.36 (1) of the statutes is amended to read:

11 301.36 (1) GENERAL AUTHORITY. The department shall investigate and
12 supervise all of the state ~~correctional institutions~~ prisons under s. 302.01, all secured
13 correctional facilities, all secured child caring institutions, all secured group homes
14 and all secure detention facilities and familiarize itself with all of the circumstances
15 affecting their management and usefulness.

16 **SECTION 2713d.** 301.37 (1) of the statutes is amended to read:

17 301.37 (1) The department shall fix reasonable standards and regulations for
18 the design, construction, repair and maintenance of all houses of correction,
19 reforestation camps maintained under s. 303.07, jails as defined in s. 302.30,
20 extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8),
21 lockup facilities as defined in s. 302.30, work camps under s. 303.10, Huber facilities
22 under s. 303.09 and, after consulting with the department of health and family
23 services, all secured group homes and secure detention facilities, with respect to
24 their adequacy and fitness for the needs which they are to serve.

1 **SECTION 2714d.** 301.45 (1) (b) of the statutes is amended to read:

2 301.45 (1) (b) Is in prison, a secured correctional facility, ~~as defined in s. 938.02~~
3 ~~(15m), or a secured child caring institution, as defined in s. 938.02 (15g), or a secured~~
4 group home or is on probation, extended supervision, parole, supervision or aftercare
5 supervision on or after December 25, 1993, for any violation, or for the solicitation,
6 conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3),
7 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or
8 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the
9 victim's parent.

10 **SECTION 2715d.** 301.45 (1) (bm) of the statutes is amended to read:

11 301.45 (1) (bm) Is in prison, a secured correctional facility, ~~as defined in s.~~
12 ~~938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or~~
13 a secured group home or is on probation, extended supervision, parole, supervision
14 or aftercare supervision on or after December 25, 1993, for a violation, or for the
15 solicitation, conspiracy or attempt to commit a violation, of a law of this state that
16 is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,
17 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30 or that is comparable to a
18 violation of s. 940.30 or 940.31 if the victim was a minor and the person was not the
19 victim's parent.

20 **SECTION 2716d.** 301.45 (3) (a) 2. of the statutes is amended to read:

21 301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured
22 correctional facility ~~or~~, a secured child caring institution or a secured group home,
23 he or she is subject to this subsection upon being released on parole, extended
24 supervision or aftercare supervision.”.

1 **1420.** Page 1323, line 18: after that line insert:

2 “**SECTION 2717m.** 301.45 (5) (a) 2. of the statutes is amended to read:

3 301.45 **(5)** (a) 2. If the person has been sentenced to prison or placed in a secured
4 correctional facility ~~or~~, a secured child caring institution or a secured group home,
5 15 years after discharge from parole or aftercare supervision.”.

6 **1421.** Page 1327, line 16: after that line insert:

7 “**SECTION 2718wc.** 303.08 (5) (a) of the statutes is renumbered 303.08 (5) (cg).

8 **SECTION 2718wg.** 303.08 (5) (b) of the statutes is amended to read:

9 303.08 **(5)** (b) Necessary travel expense to and from work ~~and other~~;

10 (cr) Other incidental expenses of the prisoner;

11 **SECTION 2718wL.** 303.08 (5) (c) of the statutes is amended to read:

12 303.08 **(5)** (c) ~~Support~~ Court-ordered support of the prisoner’s dependents, if
13 any;

14 **SECTION 2718wq.** 303.08 (5m) of the statutes is amended to read:

15 303.08 **(5m)** A county may receive payments under sub. (5) ~~(a) and (b), (cg) and~~
16 (cr) or seek reimbursement under s. 302.372, but may not collect for the same
17 expenses twice.”.

18 **1422.** Page 1331, line 7: after that line insert:

19 “**SECTION 2720hr.** 341.05 (26) of the statutes is created to read:

20 341.05 **(26)** (a) Is a mobile home, as defined in s. 101.91 (2e), or a manufactured
21 home, as defined in s. 101.91 (2).

22 (b) Is a structure that is transportable in one or more sections and that is built
23 on a permanent chassis and designed to be used as a dwelling with or without a
24 permanent foundation when connected to the required utilities, if the structure’s

1 manufacturer voluntarily files a certification required by the secretary of the U.S.
2 department of housing and urban development and complies with regulations
3 established under 42 USC 5401 to 5425.”.

4 **1423.** Page 1332, line 4: delete “groups” and substitute “group”.

5 **1424.** Page 1332, line 4: delete “and 54.”.

6 **1425.** Page 1332, line 10: delete “and 54.”.

7 **1426.** Page 1332, line 16: delete “and 54.”.

8 **1427.** Page 1333, line 12: delete “or 54.”.

9 **1428.** Page 1334, line 1: delete lines 1 to 24.

10 **1429.** Page 1335, line 1: delete lines 1 to 19.

11 **1430.** Page 1335, line 19: after that line insert:

12 “**SECTION 2726v.** 341.14 (6r) (bm) of the statutes is created to read:

13 341.14 **(6r)** (bm) Upon receipt of an application for a special group plate under
14 par. (f) 53., a person authorized to issue registration plates shall forward the
15 application to the department’s special license plate unit. The department may not
16 charge a fee for forwarding an application under this paragraph.”.

17 **1431.** Page 1336, line 4: delete “and.” and substitute “and”.

18 **1432.** Page 1336, line 6: delete the material beginning with “and the” and
19 ending with “par. (f) 54.” on line 9.

20 **1433.** Page 1337, line 15: delete lines 15 to 25.

21 **1434.** Page 1338, line 1: delete lines 1 to 3.

22 **1435.** Page 1340, line 7: after that line insert:

23 “**SECTION 2734dq.** 341.51 (4) (am) of the statutes is amended to read:

1 341.51 (4) (am) If Except as provided in par. (an), if the applicant is an
2 individual, the social security number of the individual.

3 **SECTION 2734dr.** 341.51 (4) (an) of the statutes is created to read:

4 341.51 (4) (an) If the applicant is an individual who does not have a social
5 security number, a statement made or subscribed under oath or affirmation that the
6 applicant does not have a social security number. The form of the statement shall
7 be prescribed by the department of workforce development. A registration that is
8 issued under this section in reliance on a statement submitted under this paragraph
9 is invalid if the statement is false.”.

10 **1436.** Page 1340, line 20: after that line insert:

11 “**SECTION 2734hdm.** 342.07 (1) of the statutes is renumbered 342.07 (1) (intro.)
12 and amended to read:

13 342.07 (1) Application for registration of and a new certificate of title for a
14 repaired salvage vehicle must be accompanied by the all of the following:

15 (a) The required fees, a,

16 (b) A properly assigned salvage certificate of title or a properly assigned
17 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle and any.

18 (c) Any other transfer document required by law, and by the,

19 (d) The certificate of inspection under sub. (4).

20 **SECTION 2734hdp.** 342.07 (2) (a) of the statutes is amended to read:

21 342.07 (2) (a) To determine whether the vehicle is the same vehicle for which
22 the salvage title in submitted under sub. (1) was issued;”.

23 **1437.** Page 1340, line 20: after that line insert:

24 “**SECTION 2734he.** 342.06 (1) (eg) of the statutes is amended to read:

1 342.06 (1) (eg) If Except as provided in par. (eh), if the applicant is an
2 individual, the social security number of the applicant. The department of
3 transportation may not disclose a social security number obtained under this
4 paragraph to any person except to the department of workforce development for the
5 sole purpose of administering s. 49.22.

6 **SECTION 2734hed.** 342.06 (1) (eh) of the statutes is created to read:

7 342.06 (1) (eh) If the applicant does not have a social security number, a
8 statement made or subscribed under oath or affirmation that the applicant does not
9 have a social security number. The form of the statement shall be prescribed by the
10 department of workforce development. A certificate of title that is issued in reliance
11 on a statement submitted under this paragraph is invalid if the statement is false.”.

12 **1438.** Page 1341, line 9: after that line insert:

13 **“SECTION 2734hgd.** 342.15 (2) of the statutes is amended to read:

14 342.15 (2) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
15 ~~a salvage vehicle~~, the transferee shall, promptly after delivery to him or her of the
16 vehicle, execute the application for a new certificate of title in the space provided
17 ~~therefor~~ on the certificate or as the department prescribes, and cause deliver or mail
18 the certificate and application ~~to be mailed or delivered~~ to the department. A salvage
19 vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

20 **SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

21 342.15 (3) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
22 ~~a salvage vehicle~~ and as between the parties, a transfer by an owner is not effective
23 until the provisions of this section have been complied with. An owner who has
24 delivered possession of the vehicle to the transferee and has complied with the

1 provisions of this section requiring action by him or her is not liable as owner for any
2 damages thereafter resulting from operation of the vehicle.

3 **SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

4 342.15 (6) (a) Except as provided in s. 342.16 with respect to a vehicle which
5 is not a salvage vehicle, any transferee of a vehicle who fails to make application for
6 a new certificate of title immediately upon transfer to him or her of a vehicle may be
7 required to forfeit not more than \$200. A certificate is considered to have been
8 applied for when the application accompanied by the required fee has been delivered
9 to the department or deposited in the mail properly addressed with postage prepaid.

10 (b) Except as provided in s. 342.16 with respect to a vehicle which is not a
11 salvage vehicle, any transferee of a vehicle who with intent to defraud fails to make
12 application for a new certificate of title immediately upon transfer to him or her of
13 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days
14 or both. A certificate is considered to have been applied for when the application
15 accompanied by the required fee has been delivered to the department or deposited
16 in the mail properly addressed with postage prepaid.

17 **SECTION 2734hgj.** 342.16 (1) (a) of the statutes is amended to read:

18 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used
19 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
20 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts
21 a vehicle for sale on consignment, the dealer may not submit to the department the
22 certificate of title or application for certificate of title naming the dealer as owner of
23 the vehicle. Upon transferring the vehicle to another person, the dealer shall
24 immediately give the transferee on a form prescribed by the department a receipt for
25 all title, registration, security interest and sales tax moneys paid to the dealer for

transmittal to the department when required. The dealer shall promptly execute the assignment and warranty of title, showing the name and address of the transferee and of any secured party holding a security interest created or reserved at the time of the resale or sale on consignment, in the spaces provided therefor on the certificate or as the department prescribes. Within 7 business days following the sale or transfer, the dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate. A nonresident who purchases a motor vehicle from a dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of title issued for the vehicle in this state unless the dealer determines that a title is necessary to protect the interests of a secured party. The dealer is responsible for determining whether a title and perfection of security interest is required. The dealer is liable for any damages incurred by the department or any secured party for the dealer's failure to perfect a security interest which the dealer had knowledge of at the time of sale.

SECTION 2734hgm. 342.16 (1) (c) of the statutes is amended to read:

342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's reassignment on a certificate of title have been completed or as otherwise authorized by rules of the department, a dealer or wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for sale on consignment may not apply for a certificate of title naming the dealer or wholesaler as owner of the vehicle. The rules may regulate the frequency of application by a dealer or wholesaler for transfer of registration or credits for

1 registration from a previously registered vehicle to another vehicle that the dealer
2 or wholesaler intends to register in his or her own name.

3 **SECTION 2734hgo.** 342.16 (1) (d) of the statutes is amended to read:

4 342.16 (1) (d) Unless exempted by rule of the department, a dealer or
5 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds
6 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and
7 holds it for resale shall make application for a certificate of title naming the dealer
8 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's
9 or wholesaler's reassignment on the certificate of title for such vehicle have been
10 completed.”.

11 **1439.** Page 1343, line 6: after that line insert:

12 “**SECTION 2734qd.** 343.06 (1) (cm) of the statutes is created to read:

13 343.06 (1) (cm) To operate “Class D” vehicles to any person under 18 years of
14 age, unless the person has accumulated at least 30 hours of behind-the-wheel
15 driving experience, at least 10 hours of which were during hours of darkness. Each
16 hour of behind-the-wheel driving experience while accompanied by a qualified
17 instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of
18 behind-the-wheel driving experience, except that no more than 5 hours of
19 behind-the-wheel driving experience while accompanied by a qualified instructor
20 may be counted in this manner. This paragraph does not apply to applicants for a
21 restricted license under s. 343.08 or a special restricted operator's license under s.
22 343.135. The department may promulgate rules that waive the requirement of
23 accumulating at least 30 hours of behind-the-wheel experience for qualified
24 applicants who are licensed by another jurisdiction to operate “Class D” vehicles.

1 **SECTION 2734qf.** 343.07 (1) (a) and (b) of the statutes are consolidated,
2 renumbered 343.07 (1) (a) (intro.) and amended to read:

3 343.07 **(1)** (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee~~
4 ~~shall not~~ Except as provided in this subsection, no permittee may operate a motor
5 vehicle unless accompanied by a qualified instructor, or a licensed person with who
6 has at least 2 years of licensed driving experience, who presently holds a valid
7 regular license, occupying as defined in s. 343.03 (3) (a), who occupies the seat beside
8 the permittee. No other passengers are allowed in the vehicle except as provided in
9 par. (c) or (cm). (b) and who is one of the following:

10 1. A permittee under the age of 16 is restricted to operation of a motor vehicle
11 only while accompanied by a qualified instructor, the who is 19 years of age or older.
12 If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition
13 to the qualified instructor, may occupy seats in the motor vehicle other than the front
14 seat.

15 2. The permittee's parent or, guardian who meets the other qualifications of
16 par. (a) or a licensed or spouse who is 19 years of age or older. In addition to the
17 parent, guardian or spouse, the permittee's immediate family members may occupy
18 seats in the motor vehicle other than the front seat.

19 3. A person who is 21 years of age or older who meets the other qualifications
20 of par. (a) and who has. If the permittee is under 18 years of age, this subdivision
21 applies only if the licensed person has been designated in writing to accompany the
22 permittee by the permittee's parent or guardian prior to operation of the vehicle by
23 the permittee. Upon reaching the age of 16, the permittee gains the privilege of any
24 other permittee.

25 **SECTION 2734qh.** 343.07 (1) (bm) of the statutes is created to read:

1 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
2 vehicle upon a highway in this state whenever any person is in the motor vehicle.

3 **SECTION 2734qp.** 343.07 (1) (c) of the statutes is repealed.

4 **SECTION 2734qt.** 343.07 (3) of the statutes is amended to read:

5 343.07 (3) DURATION; CANCELLATION. An instruction permit ~~shall be to operate~~
6 vehicles other than commercial motor vehicles or school buses is valid for 6 12
7 months except that it may be canceled upon receipt of information, by the secretary,
8 of noncompletion or unsatisfactory completion of a driver education and training
9 course by a permittee under the age of 18. An instruction permit to operate
10 commercial motor vehicles or school buses is valid for 6 months.

11 **SECTION 2734rd.** 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and
12 amended to read:

13 343.085 (1) (a) Except as provided in par. (b) and sub. (2), the department shall
14 issue a probationary license to all applicants for an original license. The
15 probationary license shall remain in effect ~~during the entire period of the first~~
16 ~~issuance of the original license~~ as provided in s. 343.20 (1) (a).

17 **SECTION 2734rh.** 343.085 (1) (b) of the statutes is created to read:

18 343.085 (1) (b) The department may not issue a probationary license to operate
19 “Class D” vehicles under this section to an applicant who is under 18 years of age
20 unless the applicant has held an instruction permit issued under s. 343.07 for not less
21 than 6 months and, during the 6-month period immediately preceding application,
22 has not committed a moving violation, specified by the department by rule, resulting
23 in a conviction. The department may promulgate rules to waive the requirement of
24 holding an instruction permit for not less than 6 months for qualified applicants who
25 are licensed by another jurisdiction to operate “Class D” vehicles.

1 **SECTION 2734rp.** 343.085 (2m) of the statutes is created to read:

2 343.085 **(2m)** (a) Except as provided in this subsection, during the 9-month
3 period after issuance of a probationary license under this section, no licensee under
4 18 years of age may operate a “Class D” vehicle upon a highway in this state:

5 1. If, in addition to the licensee, the vehicle is occupied by any person other than
6 the following:

7 a. Any number of members of the licensee’s immediate family.

8 b. A person who meets the requirements under s. 343.07 (1) (a).

9 c. Not more than one other person not described in subd. 1. a. and b.

10 2. Between the hours of 12 midnight and 5 a.m., unless the licensee’s parent
11 or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies
12 the seat beside the licensee, or unless the licensee is traveling between his or her
13 place of residence, school or place of employment.

14 (am) 1. Paragraph (a) does not apply to any licensee to whom all of the following
15 apply:

16 a. The licensee is operating the motor vehicle in the service of an organized
17 program that, without compensation, transports teenagers to their homes.

18 b. The licensee possesses documentation that identifies the program and the
19 licensee and that authorizes the licensee to operate a motor vehicle in service of the
20 program on the date and time of the operation. The documentation is valid only if
21 signed by a person who is at least 25 years of age and associated with the program.

22 c. The licensee is accompanied by another licensee, other than a teenager who
23 is being transported, who is in the motor vehicle in the service of the program
24 described in subd. 1. a. and who possesses the documentation described in subd. 1.

25 b.

1 d. The licensee is accompanied by not more than 3 passengers in the vehicle.
2 The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

3 2. Paragraph (a) does not apply to any licensee operating the motor vehicle to
4 or from a program described in subd. 1. a., if the licensee possesses documentation
5 described in subd. 1. b. A licensee described in this subdivision may be accompanied
6 by any number of persons also traveling to or from a program described in subd. 1.
7 a.

8 (ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for
9 emergency purposes.

10 (b) 1. The department shall extend the restrictions under par. (a) for an
11 additional 6-month period or until the licensee's 18th birthday, whichever occurs
12 earlier, if any of the following occurs while the licensee is subject to the restrictions
13 under par. (a):

14 a. The licensee commits a moving violation specified by the department by rule,
15 resulting in a conviction of the licensee.

16 b. The licensee violates par. (a).

17 c. A court or the department suspends or revokes the licensee's operating
18 privilege for any reason other than a mental or physical disability.

19 2. If the department extends a restriction period under subd. 1., the
20 department shall immediately provide notice of the extension by 1st class mail to the
21 person's last-known residence address.

22 (c) A period of restriction under this subsection does not run while a person's
23 operating privilege is suspended or revoked.

24 (d) The restrictions under this subsection apply until the period of restriction
25 expires or until the licensee reaches 18 years of age, whichever occurs first.

1 (e) Nothing in this subsection may be construed to create a separate cause of
2 action against the parent or guardian of a probationary licensee under this
3 subsection or against the owner of any vehicle operated by a probationary licensee
4 under this section.

5 **SECTION 2734rs.** 343.085 (3) of the statutes is amended to read:

6 343.085 (3) The secretary may suspend a person's operating privilege under
7 this section when such person has been assigned sufficient demerit points after
8 conviction for traffic violations to require suspension under the rule adopted under
9 sub. (5) and either holds a license issued under this section or by age comes under
10 this section. The secretary may revoke such a person's operating privilege under this
11 section if such person has a previous suspension under this section. This subsection
12 applies only to a person holding a probationary license issued before the effective
13 date of this subsection [revisor inserts date]. This subsection does not apply on
14 or after the first day of the 37th month beginning after the effective date of this
15 subsection [revisor inserts date].

16 **SECTION 2734rv.** 343.085 (5) of the statutes is amended to read:

17 343.085 (5) For the purpose of determining when to suspend or to continue a
18 person on probationary status, the secretary may determine and adopt by rule a
19 method of weighing traffic convictions by their seriousness and may change such
20 weighted scale from time to time as experience or the accident frequency in the state
21 makes necessary or desirable. Such scale may be weighted differently for this
22 licensee than the scale used to determine revocations under s. 343.32. This
23 subsection applies only to a person holding a probationary license issued before the
24 effective date of this subsection [revisor inserts date]. This subsection does not

1 apply on or after the first day of the 37th month beginning after the effective date
2 of this subsection [revisor inserts date].

3 **SECTION 2744g.** 343.17 (3) (a) 13. of the statutes is created to read:

4 343.17 **(3)** (a) 13. If the person is under 18 years of age at the time of issuance
5 of the license, a distinctive appearance specified by the department that clearly
6 identifies to the public that the person was under 18 years of age at the time of
7 issuance of the license.

8 **SECTION 2744m.** 343.19 (1) of the statutes is amended to read:

9 343.19 **(1)** If a license issued under this chapter or an identification card issued
10 under s. 343.50 is lost or destroyed or the name or address named in the license or
11 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
12 no longer applies, the person to whom the license or identification card was issued
13 may obtain a duplicate thereof or substitute therefor upon furnishing proof
14 satisfactory to the department of name and date of birth and that the license or
15 identification card has been lost or destroyed or that application for a duplicate
16 license or identification card is being made for a change of address or name or
17 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
18 original license or identification card is found it shall immediately be transmitted to
19 the department. Duplicates of nonphoto licenses shall be issued as nonphoto
20 licenses.

21 **SECTION 2746g.** 343.21 (1) (i) of the statutes is amended to read:

22 343.21 **(1)** (i) Except as provided in par. (im) or (ir), for an instruction permit,
23 \$20.

24 **SECTION 2746m.** 343.21 (1) (ir) of the statutes is created to read:

1 343.21 (1) (ir) For an instruction permit authorizing the operation of “Class D”
2 vehicles, \$25.”.

3 **1440.** Page 1343, line 6: after that line insert:

4 “**SECTION 2734pu.** 343.14 (2) (b) of the statutes is amended to read:

5 343.14 (2) (b) The applicant’s date of birth, ~~social security number~~, color of eyes,
6 color of hair, sex, height, weight and race;

7 **SECTION 2734pv.** 343.14 (2) (bm) and (br) of the statutes are created to read:

8 343.14 (2) (bm) Except as provided in par. (br), the applicant’s social security
9 number.

10 (br) If the applicant does not have a social security number, a statement made
11 or subscribed under oath or affirmation that the applicant does not have a social
12 security number. The form of the statement shall be prescribed by the department
13 of workforce development. A license that is issued or renewed under s. 343.17 in
14 reliance on a statement submitted under this paragraph is invalid if the statement
15 is false.

16 **SECTION 2734pw.** 343.14 (2j) (a) of the statutes is amended to read:

17 343.14 (2j) (a) Subject to any exceptions provided for in a memorandum of
18 understanding entered into under s. 49.857 (2), the department shall deny an
19 application for the issuance or renewal of a license if the applicant has not included
20 his or her social security number in the application, or, if the applicant does not have
21 a social security number, has not included a statement made or subscribed under
22 oath or affirmation that the applicant does not have a social security number in the
23 application.

24 **SECTION 2734px.** 343.14 (2j) (b) of the statutes is amended to read:

1 343.14 **(2j)** (b) Except as otherwise required to administer and enforce this
2 chapter, the department of transportation may not disclose a social security number
3 obtained from an applicant for a license under sub. (2) ~~(b)~~ (bm) to any person except
4 to the department of workforce development for the sole purpose of administering s.
5 49.22.”.

6 **1441.** Page 1344, line 2: after that line insert:

7 “**SECTION 2747s.** 343.43 (1) (f) of the statutes is amended to read:

8 343.43 **(1)** (f) Reproduce by any means whatever a copy of a license, unless the
9 reproduction is done pursuant to rules promulgated by the department and for a
10 valid business or occupational purpose; or”.

11 **1442.** Page 1344, line 2: after that line insert:

12 “**SECTION 2749gg.** 343.32 (2) (bc) of the statutes is created to read:

13 343.32 **(2)** (bc) 1. Except as provided in subd. 2., the scale adopted by the
14 secretary shall assess, for each conviction, twice the number of demerit points that
15 are assessed for the same offense committed by the holder of a regular license, if the
16 convicted person has been previously convicted of an offense for which demerit points
17 are assessed and the person is one of the following:

18 a. A person who holds a probationary license.

19 b. An unlicensed person who would hold a probationary license if licensed.

20 c. A person who holds an instruction permit under s. 343.07.

21 2. The secretary may not increase under subd. 1. the number of demerit points
22 that are assessed for a violation of ch. 347.

23 **SECTION 2749gm.** 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1.
24 and amended to read:

1 343.32 (2) (c) 1. In Except as provided in subd. 2., in order for the secretary to
2 suspend or revoke an operating privilege under this subsection, the operator must
3 have accumulated 12 demerit points in any 12-month period.

4 **SECTION 2749gr.** 343.32 (2) (c) 2. of the statutes is created to read:

5 343.32 (2) (c) 2. The secretary shall suspend, for a period of 6 months, the
6 operating privilege of any person who holds a probationary license issued on or after
7 the effective date of this subdivision [revisor inserts date], and who has
8 accumulated 12 demerit points in any 12-month period.”.

9 **1443.** Page 1344, line 2: after that line insert:

10 “**SECTION 2747m.** 343.305 (6) (e) 2. a. of the statutes is amended to read:

11 343.305 (6) (e) 2. a. In Except as provided in subd. 2. am., in the case of an
12 individual, the individual’s social security number.

13 **SECTION 2747n.** 343.305 (6) (e) 2. am. of the statutes is created to read:

14 343.305 (6) (e) 2. am. In the case of an individual who does not have a social
15 security number, a statement made or subscribed under oath or affirmation that the
16 applicant does not have a social security number. The form of the statement shall
17 be prescribed by the department of workforce development. A permit or approval
18 that is issued or renewed under this section in reliance on a statement submitted
19 under this subd. 2. am. is invalid if the statement is false.

20 **SECTION 2747no.** 343.305 (6) (e) 3. a. of the statutes is amended to read:

21 343.305 (6) (e) 3. a. The licensor shall deny an application for the issuance or,
22 if applicable, renewal of a permit or laboratory approval if the information required
23 under subd. 2. a., am. or b. is not included in the application.”.

24 **1444.** Page 1344, line 13: after that line insert:

1 **“SECTION 2751m.** 345.05 (1) (c) of the statutes is amended to read:

2 345.05 **(1)** (c) “Municipality” means any county, city, village, town, school
3 district (as enumerated in s. 67.01 (5), sewer district, drainage district, commission
4 formed by a contract under s. 66.30 (2) and, without restriction because of failure of
5 enumeration, any other political subdivision of the state.”.

6 **1445.** Page 1344, line 13: after that line insert:

7 **“SECTION 2751e.** 343.50 (4) of the statutes is amended to read:

8 343.50 **(4)** APPLICATION. The application for an identification card shall include
9 the any information required under s. 343.14 (2) (a) and, (b), (bm) and (br) and
10 (2m), such further information as the department may reasonably require to enable
11 it to determine whether the applicant is entitled by law to an identification card and,
12 for applicants who are aged 65 years or older, material, as provided by the
13 department, explaining the voluntary program that is specified in s. 71.55 (10) (b).
14 The department shall, as part of the application process, take a photograph of the
15 applicant to comply with sub. (3). No application may be processed without the
16 photograph being taken. Misrepresentations are punishable as provided in s. 343.14
17 (5).

18 **SECTION 2751h.** 343.61 (2) (a) 1. of the statutes is amended to read:

19 343.61 **(2)** (a) 1. In Except as provided in subd. 1m., in the case of an individual,
20 the individual's social security number.

21 **SECTION 2751i.** 343.61 (2) (a) 1m. of the statutes is created to read:

22 343.61 **(2)** (a) 1m. In the case of an individual who does not have a social
23 security number, a statement made or subscribed under oath or affirmation that the
24 individual does not have a social security number. The form of the statement shall

1 be prescribed by the department of workforce development. A license that is issued
2 by the department in reliance on a statement submitted under this subdivision is
3 invalid if the statement is false.

4 **SECTION 2751k.** 343.62 (2) (a) of the statutes is amended to read:

5 343.62 (2) (a) Application for an instructor's license shall be made in the form
6 and manner prescribed by the department, shall contain such information as is
7 required by the department and shall be accompanied by the required fee. The
8 Except as provided in par. (am), the application shall include the applicant's social
9 security number.

10 **SECTION 2751kc.** 343.62 (2) (am) of the statutes is created to read:

11 343.62 (2) (am) If the applicant does not have a social security number, a
12 statement made or subscribed under oath or affirmation that the applicant does not
13 have a social security number. The form of the statement shall be prescribed by the
14 department of workforce development. A license that is issued by the department
15 in reliance on a statement submitted under this paragraph is invalid if the statement
16 is false.

17 **SECTION 2751p.** 343.64 (2) of the statutes is amended to read:

18 343.64 (2) The secretary shall deny the application of any person for a driver
19 school license if the applicant fails to provide the information required under s.
20 343.61 (2) (a) 1. or 2., or if the applicant does not have a social security number, a
21 statement made or subscribed under oath or affirmation that the applicant does not
22 have a social security number.

23 **SECTION 2751r.** 343.65 (2) of the statutes is amended to read:

24 343.65 (2) The secretary shall deny an application for the issuance or renewal
25 of an instructor's license if the applicant has not included his or her social security

1 number in the application, unless the applicant is an individual who does not have
2 a social security number and submits a statement made or subscribed under oath or
3 affirmation as required under s. 343.62 (2) (a).”.

4 **1446.** Page 1347, line 7: after “suspended” insert “. The operating privilege
5 shall be suspended”.

6 **1447.** Page 1347, line 14: after “privilege.” insert “This paragraph does not
7 apply if the judgment was entered solely for violation of an ordinance unrelated to
8 the violator’s operation of a motor vehicle.”.

9 **1448.** Page 1349, line 6: after that line insert:

10 “**SECTION 2761r.** 348.15 (3) (bg) of the statutes is amended to read:

11 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
12 exclusively milk from the point of production to the primary market and the return
13 of dairy supplies and dairy products from such primary market to the farm, the gross
14 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
15 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
16 consecutive axles ~~more than~~ 9 feet or more apart, a weight of 2,000 pounds more than
17 is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
18 to the national system of interstate and defense highways, except for that portion of
19 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51
20 and the I 90/94 interchange near Portage upon their federal designation as I 39.”.

21 **1449.** Page 1361, line 6: delete the material beginning with that line and
22 ending with page 1362, line 20.

23 **1450.** Page 1363, line 15: after that line insert:

24 “**SECTION 2822w.** 440.03 (11m) (a) (intro.) of the statutes is amended to read:

1 440.03 **(11m)** (a) (intro.) Each application form for a credential issued or
2 renewed under chs. 440 to 480 shall provide a space for the department to require
3 each of the following, other than an individual who does not have a social security
4 number and who submits a statement made or subscribed under oath or affirmation
5 as required under par. (am), to provide his or her social security number:

6 **SECTION 2822x.** 440.03 (11m) (am) of the statutes is created to read:

7 440.03 **(11m)** (am) If an applicant specified in par. (a) 1. or 2. is an individual
8 who does not have a social security number, the applicant shall submit a statement
9 made or subscribed under oath that the applicant does not have a social security
10 number. The form of the statement shall be prescribed by the department of
11 workforce development. A credential or license issued in reliance upon a false
12 statement submitted under this paragraph is invalid.

13 **SECTION 2822x.** 440.03 (11m) (b) of the statutes is amended to read:

14 440.03 **(11m)** (b) The department shall deny an application for an initial
15 credential or deny an application for credential renewal or for reinstatement of an
16 inactive license under s. 452.12 (6) (e) if any information required under par. (a) is
17 not included in the application form or, in the case of an applicant who is an
18 individual and who does not have a social security number, if the statement required
19 under par. (am) is not included with the application form.”.

20 **1451.** Page 1365, line 25: after that line insert:

21 **“SECTION 2841mt.** 440.08 (2) (a) 14f. of the statutes is created to read:

22 440.08 **(2)** (a) 14f. Athletic trainer: July 1 of each even-numbered year; \$44.”.

23 **1452.** Page 1375, line 12: after that line insert:

24 **“SECTION 2922g.** 440.947 of the statutes is created to read:

1 **440.947 Disclosures and representations for certain sales. (1)** In this
2 section:

3 (a) “Cash advance item” means personal property or a service that is obtained
4 by a person from a 3rd party and that is paid for by the person on behalf of, and
5 subject to reimbursement from, a buyer of a casket, outer burial container or
6 cemetery merchandise from the person. “Cash advance item” includes cemetery or
7 crematory services, pallbearers, public transportation, clergy honoraria, flowers,
8 musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

9 (b) “Direct cremation service” means the disposition of human remains by
10 cremation without any formal viewing, visitation or ceremony in which the body of
11 the deceased is present.

12 (c) “Outer burial container” has the meaning given in s. 157.061 (11g).

13 (d) “Person” does not include a person issued a funeral director’s license under
14 ch. 445 or an operator of a funeral establishment, as defined in s. 445.01 (7).

15 **(2)** No person may sell or offer for sale a casket, outer burial container or
16 cemetery merchandise unless the person has provided to the buyer, prior to the sale,
17 a price list in a clearly legible and conspicuous format that includes each of the
18 following:

19 (a) The name, address and telephone number of the person’s place of business.

20 (b) The effective date of the price list.

21 (c) The price and a description of each type of casket, outer burial container and
22 cemetery merchandise that the person usually offers for sale without special
23 ordering. A description required under this paragraph shall enable a buyer to
24 identify and understand the specific casket, outer burial container or cemetery
25 merchandise that is offered for sale.

1 (d) If the person usually offers an outer burial container for sale without special
2 ordering, a statement that is identical to the following: “State law does not require
3 that you buy a container to surround the casket in the grave. However, many
4 cemeteries require that you have such a container so that the grave will not sink in.
5 Either a grave liner or a burial vault will satisfy these requirements.”

6 (e) The price and a description of any direct cremation or burial service offered
7 by the person and, if the person offers direct cremation service, a statement that is
8 identical to the following: “If you want to arrange a direct cremation, you can use an
9 alternative container. Alternative containers encase the body and can be made of
10 materials like fiberboard or composition materials (with or without an outside
11 covering). The containers that we provide are [insert a description of the
12 containers offered for direct cremation].”

13 (f) The price and a description of any service offered by the person for the use
14 any facilities, equipment or staff related to a viewing, funeral ceremony, memorial
15 service or graveside service.

16 (g) The amount and a description of any basic service fee that is charged in
17 addition to any price described under pars. (c), (e) or (f).

18 **(3)** A person who sells a casket, outer burial container or cemetery merchandise
19 shall, immediately after completing the sale, provide the buyer with a form in a
20 clearly legible and conspicuous format that includes each of the following:

21 (a) The price and a description of the casket, outer burial container or cemetery
22 merchandise.

23 (b) The price and a description of any service specified in sub. (2) (e) or (f) that
24 is sold in addition to the casket, outer burial container or cemetery merchandise.

1 (c) The amount and a description of any basic service fee that is charged in
2 addition to any price described under par. (a) or (b).

3 (d) A statement that the buyer may be charged only for the items that he or she
4 has selected or that are required by law and a description and explanation of any
5 items that he or she is required by law to purchase.

6 (e) A description of any charge for a cash advance item, including any
7 commission, discount or rebate that the person receives for a cash advance item from
8 the 3rd party from which the cash advance item is obtained and that the person does
9 not pass on to the buyer.

10 **(4)** No person who sells a casket, outer burial container or cemetery
11 merchandise may do any of the following:

12 (a) Provide inaccurate information regarding the information specified in sub.
13 (2) (c), (e), (f) or (g) to a prospective buyer who contacts the person by telephone.

14 (b) Represent that state or local law requires a prospective buyer to purchase
15 a casket for a direct cremation service.

16 (c) Misrepresent to a prospective buyer any requirement under federal, state
17 or local law or under the rules of any cemetery, mausoleum or crematory relating to
18 the use of a casket, outer burial container or cemetery merchandise.

19 (d) Represent that any casket, outer burial container or cemetery merchandise
20 will delay the natural decomposition of human remains for a long or indefinite period
21 of time.

22 (e) Require a buyer to pay an additional fee or surcharge if the buyer purchases
23 a casket, outer burial container or cemetery merchandise from a 3rd party.

24 (f) Alter a price specified in sub. (2) (c), (e), (f) or (g) based on the type of casket,
25 outer burial container or cemetery merchandise purchased by a buyer.

(5) A person who sells a casket, outer burial container or cemetery merchandise shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year after the date of its last distribution to a prospective buyer and shall retain a copy of each form that is provided to a buyer under sub. (3) (intro.) for at least one year after completion of a sale. A person required to retain a copy under this subsection shall make the copy available for inspection by the department upon request.

SECTION 2922r. 440.95 (3) of the statutes is amended to read:

440.95 (3) Except as provided in subs. (1) and (2), any person who violates s. 440.91 or 440.947 or any rule promulgated under s. 440.91 may be fined not more than \$1,000 or imprisoned for not more than 6 months or both.”.

1453. Page 1375, line 20: after that line insert:

“SECTION 2923mm. 445.125 (1) (a) 2. of the statutes is amended to read:

445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first \$2,000 \$2,500 of the funds paid under the agreement by each depositor.”.

SECTION 2923mn. 445.125 (1) (a) 2. of the statutes, as affected by 1999 Wisconsin Act ... (this act), is amended to read:

445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first \$2,500 \$3,000 of the funds paid under the agreement by each depositor.”.

1454. Page 1375, line 20: after that line insert:

“**SECTION 2923t.** Subchapter VI of chapter 448 [precedes 448.95] of the statutes is created to read:

CHAPTER 448

SUBCHAPTER VI

ATHLETIC TRAINERS AFFILIATED

CREDENTIALING BOARD

448.95 Definitions. In this subchapter:

(1) “Affiliated credentialing board” means the athletic trainers affiliated credentialing board.

(2) “Athlete” means a person participating in vigorous activities, sports, games or recreation.

(3) “Athletic injury” means any of the following:

(a) An injury or illness sustained by an athlete as a result of the athlete’s participation in exercise, sports, games or recreation.

(b) An injury or illness that impedes or prevents an athlete from participating in exercise, sports, games or recreation.

(4) “Athletic trainer” means an individual who engages in athletic training.

(5) “Athletic training” means doing any of the following:

(a) Preventing, recognizing and evaluating athletic injuries.

(b) Managing and administering the initial treatment of athletic injuries.

(c) Giving emergency care or first aid for an athletic injury.

(d) Rehabilitating and physically reconditioning athletic injuries.

(5m) “Consulting physician” means a person licensed as a physician under subch. II who consults with an athletic trainer while the athletic trainer is engaging in athletic training.

(6) “Licensee” means a person who is licensed as an athletic trainer under this subchapter.

1 **448.951 Use of title.** Except as provided in s. 448.952, no person may
2 designate himself or herself as an athletic trainer or use or assume the title “athletic
3 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic
4 trainer” or append to the person’s name any other title, letters or designation which
5 represents or may tend to represent the person as an athletic trainer unless the
6 person is licensed under this subchapter.

7 **448.952 Applicability.** This subchapter does not require a license under this
8 subchapter for any of the following:

9 **(1)** Any person lawfully practicing within the scope of a license, permit,
10 registration or certification granted by this state or the federal government, if the
11 person does not represent himself or herself as an athletic trainer.

12 **(2)** An athletic training student practicing athletic training within the scope
13 of the student’s education or training, if he or she clearly indicates that he or she is
14 an athletic training student.

15 **(3)** An athletic trainer who is in this state temporarily with an individual or
16 group that is participating in a specific athletic event or series of athletic events and
17 who is licensed, certified or registered by another state or country or certified as an
18 athletic trainer by the Board of Certification of the National Athletic Trainers
19 Association.

20 **448.9525 Duties of affiliated credentialing board.** **(1)** The affiliated
21 credentialing board shall do all of the following:

22 **(a)** Maintain a complete list of athletic trainers licensed under this subchapter
23 that includes the address of each person on the list.

24 **(b)** Provide a copy of the list maintained under par. (a) to any person who
25 requests a copy.

1 (c) Prescribe a form for the recording of a protocol required under s. 448.956 (1).

2 (d) Promulgate rules establishing the minimum amount of liability insurance
3 or surety bonding that a licensee must have to be eligible for renewal of his or her
4 license.

5 (2) Subject to s. 448.956 (1), (4) and (5), the affiliated credentialing board and
6 the medical examining board shall jointly promulgate rules relating to the minimum
7 requirements of a protocol required under s. 448.956 (1).

8 **448.953 Licensure of athletic trainers.** (1) The affiliated credentialing
9 board shall grant an athletic trainer license to a person who does all of the following:

10 (a) Submits an application for the license to the department on a form provided
11 by the department.

12 (b) Pays the fee specified in s. 440.05 (1).

13 (c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
14 to the affiliated credentialing board that he or she does not have an arrest or
15 conviction record.

16 (d) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
17 to the affiliated credentialing board that he or she does not have a history of alcohol
18 or other drug abuse.

19 (e) Submits evidence satisfactory to the affiliated credentialing board that he
20 or she has received at least a bachelor's degree from an accredited college or
21 university.

22 (f) Submits evidence satisfactory to the affiliated credentialing board that he
23 or she has met the requirements for certification established by the National Athletic
24 Trainers Association Board of Certification and has passed the certification

1 examination administered by the National Athletic Trainers Association Board of
2 Certification.

3 (g) Provides all of the following information:

4 1. A statement as to whether the person has been granted an athletic trainer
5 credential from any licensing jurisdiction in the United States or in any foreign
6 country.

7 2. If the person has been granted an athletic trainer credential from any
8 licensing jurisdiction in the United States or in any foreign country, a description of
9 any disciplinary actions initiated against the person by the licensing jurisdiction
10 that issued the credential.

11 3. A statement as to whether the person has ever applied for an athletic trainer
12 credential from any licensing jurisdiction in the United States or in any foreign
13 country and had the application denied, along with a description of why the
14 credential application was denied.

15 (h) Passes an examination under s. 448.954.

16 **(2)** The affiliated credentialing board may waive the requirements under sub.
17 (1) (c) to (h) for an applicant for a license under sub. (1) who establishes to the
18 satisfaction of the affiliated credentialing board all of the following:

19 (a) That he or she has been issued a credential as an athletic trainer by another
20 licensing jurisdiction in the United States.

21 (b) That the jurisdiction that issued the credential under par. (a) has
22 requirements for credentialing that are substantially equivalent to the
23 requirements under sub. (1) (c) to (h).

24 **(3)** (a) The affiliated credentialing board shall issue a temporary license to a
25 person who satisfies the requirements under sub. (1) (a) and (c) to (g) and who pays

1 the fee specified in s. 440.05 (6). The temporary license is valid for one year and may
2 not be renewed.

3 (b) If a person who is issued a temporary license under par. (a) submits, before
4 the temporary license expires, evidence satisfactory to the affiliated credentialing
5 board that he or she has passed the examination required under s. 448.954, the
6 affiliated credentialing board shall issue the person a license under sub. (1).

7 **(4)** (a) The affiliated credentialing board shall issue a temporary license to a
8 person who satisfies the requirements under sub. (1) (a), (c) to (e) and (g), pays the
9 fee specified in s. 440.05 (6) and submits evidence satisfactory to the affiliated
10 credentialing board that he or she has engaged in athletic training during each of the
11 12 consecutive months immediately preceding the effective date of this paragraph
12 [revisor inserts date]. The temporary license is valid for 2 years and shall be
13 renewed once if a license holder submits evidence satisfactory to the affiliated
14 credentialing board at the time of renewal that he or she has made significant
15 progress toward satisfying the requirement under sub. (1) (f).

16 (b) If a person who is issued a temporary license under par. (a) satisfies the
17 requirements under sub. (1) (f) and (h) before the temporary license expires, the
18 affiliated credentialing credentialing board shall issue the person a license under
19 sub. (1).

20 **(5)** An application form for a license under this section shall include all of the
21 following:

22 (a) An affirmation by the applicant that the information that he or she is
23 supplying on the application is true and complete.

24 (b) A statement that the applicant authorizes the affiliated credentialing board
25 to have access to any of the following:

1 1. The applicant's records at the college or university at which he or she
2 received the bachelor's degree required under sub. (1) (e).

3 2. The records of any credentialing authority in any licensing jurisdiction in the
4 United States or in any foreign country that has granted the applicant a credential
5 in athletic training.

6 **448.954 Examination. (1)** The affiliated credentialing board shall conduct
7 or arrange for examinations for athletic trainer licensure at least semiannually and
8 at times and places determined by the affiliated credentialing board. Examinations
9 shall consist of written or oral tests, or both, requiring applicants to demonstrate
10 minimum competency in subjects substantially related to athletic training.

11 **(2)** In lieu of an examination under sub. (1), the affiliated credentialing board
12 may accept the results of an examination administered by the National Athletic
13 Trainers Association Board of Certification.

14 **448.9545 Continuing education. (1)** (a) To be eligible for renewal of a license
15 issued under s. 448.953 (1) or (2), a licensee shall, during the 2-year period
16 immediately preceding the renewal date specified under s. 440.08 (2) (a), complete
17 not less than 30 credit hours of continuing education in courses of study approved by
18 the affiliated credentialing board.

19 (b) No more than 10 credit hours of the continuing education required under
20 par. (a) may be on any of the following subject areas or combination of subject areas:

21 1. Management.

22 2. Risk management.

23 3. Personal growth.

24 4. Educational techniques.

1 **(2)** The affiliated credentialing board may approve any of the following courses
2 for continuing education credit:

3 (a) A course that has been approved for continuing education credit by the
4 National Athletic Trainers Association Board of Certification.

5 (b) Any course that satisfies all of the following:

6 1. The course is directly related to the practice of athletic training or sports
7 medicine and lasts at least one hour.

8 2. Each member of the course faculty has expertise in the subject area of the
9 course because he or she has received a degree from an accredited college or
10 university relating to the subject area, has experience or special training in the
11 subject area covered by the course or has previously taught the subject area covered
12 by the course.

13 3. The course has specific written objectives describing the goals of the course
14 for the participants.

15 4. The sponsor of the course keeps attendance records for the course and retains
16 copies of those records for at least 4 years after the date of the course.

17 **448.955 Issuance of license; expiration and renewal. (1)** The renewal
18 dates for licenses granted under this subchapter, other than temporary licenses
19 granted under s. 448.953 (3) or (4), are specified under s. 440.08 (2) (a).

20 **(2)** Renewal applications shall be submitted to the department on a form
21 provided, subject to sub. (3), by the department and shall include the renewal fee
22 specified in s. 440.08 (2) (a) and evidence satisfactory to the affiliated credentialing
23 board that the licensee has all of the following:

1 (a) Completed, during the 2-year period immediately preceding the renewal
2 date specified in s. 440.08 (2) (a), the continuing education requirements specified
3 in s. 448.9545.

4 (b) Current certification in cardiopulmonary resuscitation.

5 (c) Liability insurance or a surety bond in at least the minimum amount
6 required by the rules promulgated under s. 448.9525 (1) (d).

7 **(3)** A renewal application form for renewal of a license issued under this
8 subchapter shall include all of the following:

9 (a) A place for the licensee to describe his or her work history, including the
10 average number of hours worked each week, for the 2-year period immediately
11 preceding the renewal date specified in s. 440.08 (2) (a).

12 (c) A statement, signed by the licensee and the licensee's consulting physician,
13 that a current copy of the protocol required under s. 448.956 (1) is on file at the place
14 of employment of the athletic trainer and of the consulting physician.

15 **448.956 Practice requirements. (1)** (a) A licensee may engage in athletic
16 training only in accordance with an evaluation and treatment protocol that is
17 established by the athletic trainer and approved by the consulting physician in
18 accordance with the rules promulgated under s. 448.9525 (2) and recorded on a
19 protocol form prescribed by the affiliated credentialing board under s. 448.9525 (1)
20 (c).

21 (am) A protocol established under par. (a) shall require an athletic trainer to
22 notify the consulting physician as soon as possible if a person being treated by the
23 athletic trainer sustains new injuries.

24 (b) A licensee shall have a copy of the protocol established under par. (a) at his
25 or her place of employment at all times.

1 (c) A protocol established under par. (a) shall be updated no later than 30 days
2 before the date specified in s. 440.08 (2) (a) 14f.

3 **(2)** In addition to engaging in athletic training under a protocol established
4 under sub. (1), a licensee may do any of the following:

5 (a) Monitor the general behavior and general physical response of a person to
6 treatment and rehabilitation, including monitoring whether the person's behavior
7 or response show abnormal characteristics and monitoring whether the person
8 exhibits abnormal signs or symptoms.

9 (b) Suggest modifications in treatment or rehabilitation of an injured person
10 to the consulting physician or any other health care provider who is providing
11 treatment to the person.

12 (c) Develop and administer an athletic training program for a person. An
13 athletic training program under this paragraph may include providing education
14 and counseling to a person.

15 **(3)** When working on behalf of his or her primary employer, a licensee may, in
16 accordance with a protocol established under sub. (1) (a), do all of the following:

17 (a) Treat and rehabilitate an athletic injury using cold, heat, light, sound,
18 electricity, exercise, chemicals or mechanical devices.

19 (b) Evaluate and treat a person for an athletic injury that has not previously
20 been diagnosed.

21 (c) Treat or rehabilitate an employee of the primary employer with an injury that
22 is identical to an athletic injury and that has resulted from an occupational activity
23 as directed, supervised and inspected by a physician, as defined in s. 448.01 (5), or
24 by a person licensed under s. 446.02, who has the power to direct, decide and oversee
25 the implementation of the treatment or rehabilitation.

1 **(4)** If a licensee or the consulting physician of the licensee determines that a
2 patient's medical condition is beyond the scope of practice of the licensee, the licensee
3 shall, in accordance with the protocol established under sub. (1) (a), refer the patient
4 to a health care practitioner who is licensed under ch. 446 or 447 or subch. II, III or
5 IV of ch. 448 and who can provide appropriate treatment to the patient.

6 **(5)** A licensee shall modify or terminate treatment of a patient that is not
7 beneficial to a patient or that the patient cannot tolerate.

8 **448.957 Disciplinary proceedings and actions.** **(1)** Subject to the rules
9 promulgated under s. 440.03 (1), the affiliated credentialing board may make
10 investigations and conduct hearings to determine whether a violation of this
11 subchapter or any rule promulgated under this subchapter has occurred.

12 **(2)** Subject to the rules promulgated under s. 440.03 (1), the affiliated
13 credentialing board may reprimand a licensee or may deny, limit, suspend or revoke
14 a license granted under this subchapter if it finds that the applicant or licensee has
15 done any of the following:

16 (a) Made a material misstatement in an application for a license or for renewal
17 of a license.

18 (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the
19 circumstances of which substantially relate to the practice of athletic training.

20 (c) Advertised in a manner that is false, deceptive or misleading.

21 (d) Advertised, practiced or attempted to practice under another's name.

22 (e) Subject to ss. 111.321, 111.322 and 111.34, practiced athletic training while
23 the applicant's or licensee's ability to practice was impaired by alcohol or other drugs.

24 (f) Engaged in unprofessional or unethical conduct.

1 (g) Engaged in conduct while practicing athletic training that evidences a lack
2 of knowledge or ability to apply professional principles or skills.

3 (h) Failed to cooperate with the affiliated credentialing board in an
4 investigation under this section.

5 (i) Aided another person in violating this subchapter or any rule promulgated
6 under this subchapter.

7 (j) Violated this subchapter or any rule promulgated under this subchapter.

8 **(3)** In addition to or in lieu of the penalties provided under sub. (2), the
9 affiliated credentialing board may assess against an applicant or licensee a forfeiture
10 of not more than \$10,000 for each violation specified under sub. (2).

11 **448.958 Injunctive relief.** If the affiliated credentialing board has reason to
12 believe that any person is violating this subchapter or any rule promulgated under
13 this subchapter, the affiliated credentialing board, the department, the attorney
14 general or the district attorney of the proper county may investigate and may, in
15 addition to any other remedies, bring an action in the name and on behalf of this state
16 to enjoin the person from the violation.

17 **448.959 Penalties.** Any person who violates this subchapter or any rule
18 promulgated under this subchapter may be fined not more than \$10,000 or
19 imprisoned for not more than 9 months or both.

20 **SECTION 2923v.** 450.10 (3) (a) 5q. of the statutes is created to read:

21 450.10 **(3)** (a) 5q. An athletic trainer licensed under subch. VI of ch. 448.”.

22 **1455.** Page 1376, line 21: after that line insert:

23 “**SECTION 2927a.** 552.23 (1) of the statutes is amended to read:

1 552.23 (1) If the target company is an insurance company subject to regulation
2 by the commissioner of insurance, a banking corporation subject to regulation by the
3 division of banking, a savings bank or savings and loan association subject to
4 regulation by the division of savings and loan institutions, or a company subject to
5 regulation by the public service commission, the department of transportation or the
6 office of the commissioner of railroads, the division of securities shall promptly
7 furnish a copy of the registration statement filed under this chapter to the regulatory
8 agency having supervision of the target company. Any hearing under this chapter
9 involving any such target company shall be held jointly with the regulatory agency
10 having supervision, and any determination following the hearing shall be made
11 jointly with that regulatory agency.”.

12 **1456.** Page 1376, line 21: after that line insert:

13 “**SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

14 **560.031 Recycling market development. (1)** In this section:

15 (d) “Responsible unit” has the meaning given in s. 287.01 (9).

16 **(2)** (a) At the request of the board, the department shall provide the financial
17 assistance awarded by the board under subs. (3) and (4).

18 (b) 1. The department shall provide the financial assistance awarded under
19 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

20 2. The department shall provide the financial assistance awarded under sub.
21 (4) from the appropriation under s. 20.143 (1) (L).

22 **(3)** The board may award a grant, loan or manufacturing rebate under this
23 subsection to a governmental unit or business entity for a project to assist waste
24 generators in the marketing of recovered materials or to develop markets for

1 recovered materials. Before awarding a grant, loan or manufacturing rebate, the
2 board shall consider the extent to which the project does the following:

3 (a) Maximizes the marketability of recovered materials on a statewide basis.

4 (b) Minimizes the amount of recovered materials disposed of in landfills or
5 burned without energy recovery in incinerators.

6 (c) Includes materials that are banned from landfills and that will support
7 community recycling efforts.

8 (d) Maintains present markets or creates new or expanded markets for
9 recovered materials.

10 **(4)** The board shall award a grant of \$50,000 in each fiscal year to a private,
11 nonprofit, industry-supported organization that is described in section 501 (c) (3) of
12 the Internal Revenue Code and that provides waste reduction and recycling
13 assistance through business-to-business peer exchange. An organization that is
14 awarded a grant must be instrumental in assisting and encouraging companies and
15 institutions to reduce their operating costs through improved production and solid
16 waste management practices and must be in existence on the effective date of this
17 subsection [revisor inserts date].

18 **(5)** If the board determines that financial assistance is required to stimulate
19 an activity that it determines is needed to assist responsible units in the marketing
20 of recovered materials or to develop markets for recovered materials, the board shall
21 request the department to issue a request for proposals for that activity, unless the
22 board determines that a request for proposals is not an effective means for
23 distributing the financial assistance for that activity. Upon a request from the board
24 under this subsection, the department shall issue a request for proposals for the
25 activity specified by the board.

1 **(6)** The department shall annually contract for the operation of a statewide
2 materials exchange program with a materials exchange program that received
3 funding from the board in the 1997–99 fiscal biennium. The department shall
4 provide funding for the materials exchange program from the appropriation under
5 s. 20.143 (1) (tm).

6 **(7)** The department shall consult with the board and seek advice from the
7 council on recycling before promulgating any rules under this section.”.

8 **1457.** Page 1376, line 21: after that line insert:

9 **“SECTION 2926b.** 551.32 (1) (bm) 1. (intro.) of the statutes is amended to read:

10 551.32 **(1)** (bm) 1. (intro.) In addition to information required under par. (b) and
11 except as provided in par. (bs), an application under par. (a) shall contain the
12 following:

13 **SECTION 2926e.** 551.32 (1) (bs) of the statutes is created to read:

14 551.32 **(1)** (bs) 1. If an applicant for the issuance or renewal of a license under
15 this section is an individual who does not have a social security number, the
16 applicant, as a condition of applying for or applying to renew the license, shall submit
17 a statement made or subscribed under oath or affirmation to the division that the
18 applicant does not have a social security number. The form of the statement shall
19 be prescribed by the department of workforce development.

20 2. Any license issued or renewed in reliance upon a false statement submitted
21 by an applicant under subd. 1. is invalid.

22 **SECTION 2926m.** 551.34 (1m) (a) 1. of the statutes is amended to read:

23 551.34 **(1m)** (a) 1. The applicant fails to provide the any information required
24 under s. 551.32 (1) (bm) 1.

1 **SECTION 2926p.** 551.34 (1m) (a) 3. of the statutes is amended to read:

2 551.34 **(1m)** (a) 3. The applicant is an individual who fails to provide his or her
3 ~~social security number,~~ who fails to comply, after appropriate notice, with a subpoena
4 or warrant issued by the department of workforce development or a county child
5 support agency under s. 59.53 (5) and related to paternity or child support
6 proceedings or who is delinquent in making court-ordered payments of child or
7 family support, maintenance, birth expenses, medical expenses or other expenses
8 related to the support of a child or former spouse, as provided in a memorandum of
9 understanding entered into under s. 49.857. An applicant whose application is
10 denied under this subdivision for delinquent payments is entitled to a notice and
11 hearing under s. 49.857 but is not entitled to any other notice or hearing under this
12 section.

13 **SECTION 2926s.** 551.34 (1m) (b) of the statutes is amended to read:

14 551.34 **(1m)** (b) The Unless s. 551.32 (1) (bs) 1. applies to the licensee, the
15 division shall restrict or suspend a license under this subchapter if the licensee is an
16 individual who fails to provide his or her social security number;. The division shall
17 restrict or suspend a license under this subchapter if the licensee is an individual
18 who fails to comply, after appropriate notice, with a subpoena or warrant issued by
19 the department of workforce development or a county child support agency under s.
20 59.53 (5) and related to paternity or child support proceedings or who is delinquent
21 in making court-ordered payments of child or family support, maintenance, birth
22 expenses, medical expenses or other expenses related to the support of a child or
23 former spouse, as provided in a memorandum of understanding entered into under
24 s. 49.857. A licensee whose license is restricted or suspended under this paragraph

1 is entitled to a notice and hearing under s. 49.857 but is not entitled to any other
2 notice or hearing under this section.”.

3 **1458.** Page 1378, line 12: after that line insert:

4 “**SECTION 2937f.** 560.083 of the statutes is created to read:

5 **560.083 Grants for public retail markets. (1)** In this section,
6 “municipality” means a city, village, town or county in this state.

7 **(2)** From the appropriation under s. 20.143 (1) (c), the department may make
8 grants to municipalities and nonprofit organizations to fund costs related to
9 conducting public retail markets. The department shall promulgate rules for the
10 administration of this section.”.

11 **1459.** Page 1378, line 12: after that line insert:

12 “**SECTION 2937m.** 560.09 (5) of the statutes is repealed.”.

13 **1460.** Page 1378, line 25: delete that line.

14 **1461.** Page 1379, line 1: delete lines 1 to 3 and substitute:

15 “**SECTION 2939n.** 560.13 (3) (c) of the statutes is created to read:

16 560.13 **(3)** (c) In awarding grants under this section, beginning with grants
17 awarded in fiscal year 2000–01, the department shall accord a weight to a project’s
18 job creation potential that is approximately 50% of the weight accorded that factor
19 in awarding grants under this section before fiscal year 2000–01.”.

20 **1462.** Page 1379, line 25: after that line insert:

21 “4. At least \$1,400,000 in grants for projects evaluated without consideration
22 of the number of jobs that will be created by the projects.”.

23 **1463.** Page 1380, line 1: delete lines 1 to 5.

24 **1464.** Page 1383, line 5: delete “\$1,000,000” and substitute “\$900,000”.

1 **1465.** Page 1394, line 11: after that line insert:

2 “**SECTION 2980m.** 560.26 of the statutes is created to read:

3 **560.26 Wisconsin Procurement Institute grants. (1)** Subject to sub. (3),
4 the department shall make grants annually from the appropriation under s. 20.143
5 (1) (c) to the Wisconsin Procurement Institute if all of the following apply:

6 (a) The Wisconsin Procurement Institute uses the grant proceeds to further its
7 efforts to secure federal government contracts and create jobs in the state.

8 (b) The Wisconsin Procurement Institute submits a plan to the department for
9 each grant detailing the proposed use of the grant and the secretary approves the
10 plan.

11 (c) The Wisconsin Procurement Institute enters into a written agreement with
12 the department that specifies the conditions for use of the grant proceeds, including
13 reporting and auditing requirements.

14 (d) The Wisconsin Procurement Institute agrees in writing to submit to the
15 department the report required under sub. (2) by the time required under sub. (2).

16 **(2)** If the Wisconsin Procurement Institute receives a grant under this section,
17 it shall submit to the department, within 6 months after spending the full amount
18 of the grant, a report detailing how the grant proceeds were used.

19 **(3)** The department may not make grants under sub. (1) that exceed \$100,000
20 in total in any year.”.

21 **1466.** Page 1394, line 11: after that line insert:

22 “**SECTION 2983c.** 560.28 of the statutes is created to read:

23 **560.28 Biotechnology development finance company. (1)** In this section:

24 (a) “Biotechnology” means technology related to life sciences.

(b) “Capital participation instrument” means all of the following:

1. Any of the following or an option or other right to acquire any of the following:

a. Common or preferred capital stock.

b. Convertible securities.

c. Evidences of long-term or short-term indebtedness.

d. Warrants.

e. Subscriptions.

f. Partnership or membership interests.

2. Royalties or other lawful derivations of a capital participation instrument listed under subd. 1.

(c) “Cost of a project” means costs associated with the design, planning and implementation of a project that, in accordance with sound business and financial practices, are appropriate charges to the project. The costs may include the costs of planning and design, options to buy land, feasibility or other studies, equipment, seed money, construction, working capital and any other costs determined by the biotechnology development finance company to be necessary to the purposes of this section.

(d) “Project” means commercial, industrial or other economic activity that is undertaken by a biotechnology company in this state.

(2) (a) The department shall organize and maintain a biotechnology development finance company as a nonstock, nonprofit corporation under ch. 181 for the exclusive purpose of investing in new or existing biotechnology companies in this state. From the appropriation under s. 20.143 (1) (c), the department shall make a one-time grant to the company for start-up capital and for reasonable

1 administrative expenses of the company. The grant under this paragraph may not
2 exceed \$1,000,000.

3 (b) Subject to par. (c), the biotechnology development finance company may
4 purchase a capital participation instrument of a project. The biotechnology
5 development finance company shall ensure that all of the following apply with
6 respect to a project before any investment is made in the project:

7 1. The biotechnology company has certified that the project plans conform to
8 all applicable environmental, zoning, building, planning or sanitation laws.

9 2. There is a reasonable expectation that the biotechnology company will be
10 successful.

11 3. Private industry has not provided sufficient capital required for the project.

12 4. The investment is necessary to the successful completion of the proposed
13 project because other investment in the project is unavailable in the traditional
14 capital markets, or because capital has been offered on terms that would preclude
15 the success of the project.

16 5. Provision has been made by contract for adequate reporting of financial data
17 by the project to the biotechnology development finance company. Those provisions
18 may include a requirement for an annual or other periodic audit of the project's
19 financial records.

20 6. The proceeds of the purchase will be used solely in connection with the costs
21 of the project.

22 7. The biotechnology company is able to manage its project responsibilities.

23 (c) 1. The biotechnology development finance company may not own more than
24 49% of the voting stock or other interest in any enterprise as a result of a purchase
25 under par. (b).

1 2. The total investment by the biotechnology development finance company in
2 any one biotechnology company may not exceed \$200,000.

3 (d) The findings made by the biotechnology development finance company with
4 respect to whether a project meets the conditions under par. (b) 1. to 7. are conclusive.

5 **(3)** The department shall enter into a contract with the biotechnology
6 development finance company. The contract shall provide that the department may
7 make use of the services of the biotechnology development finance company and that
8 the department shall advise, assist and provide administrative services to the
9 biotechnology development finance company. The department shall determine the
10 type and scope of any administrative services provided by the department to the
11 biotechnology development finance company. The department may assign employees
12 or contract with private or state agencies to perform the administrative services. The
13 biotechnology development finance company may not engage in political activities.

14 **(4)** (a) The board of directors of the biotechnology development finance
15 company shall consist of all of the following members:

- 16 1. The secretary, or his or her designee.
- 17 2. The secretary of administration, or his or her designee.
- 18 3. The executive director of the investment board, or his or her designee.
- 19 4. The executive director of the Wisconsin Housing and Economic Development
20 Authority, or his or her designee.
- 21 5. The president of the University of Wisconsin System, or his or her designee.
- 22 6. The president of Forward Wisconsin, Inc., or his or her designee.
- 23 7. A representative of the state's biotechnology research community.
- 24 8. A representative of the state's biotechnology industry.
- 25 9. A representative of the state's venture capital industry.

1 (b) The members under par. (a) 7. to 9. shall serve 5–year terms and the initial
2 members under par. (a) 7. to 9. shall be appointed by the governor. The biotechnology
3 development finance company, in its bylaws, shall specify the method for electing
4 new members under par. (a) 7. to 9. and for filling vacancies.

5 (5) Annually, the biotechnology development finance company shall provide a
6 report on its activities to the appropriate standing committees of each house of the
7 legislature in the manner provided under s. 13.172 (3) and to the governor.

8 (6) The assets transferred to, and the assets and liabilities of, the biotechnology
9 development finance company shall be separate from all other assets and liabilities
10 of the state, of all political subdivisions of the state and of the department. Neither
11 the state, any political subdivision of the state nor the department guarantees any
12 obligation of or has any obligation to the biotechnology development finance
13 company. Neither the state, any political subdivision of the state nor the department
14 is liable for any debt or liability of the biotechnology development finance company.”.

15 **1467.** Page 1396, line 17: after that line insert:

16 “**SECTION 2996p.** 560.65 (4) (a) of the statutes is repealed.”.

17 **1468.** Page 1397, line 3: after that line insert:

18 “**SECTION 2998g.** 560.70 (7) of the statutes is amended to read:

19 560.70 (7) “Tax benefits” means the development zones credit under ss. 71.07
20 (2dx), 71.28 (1dx) and 71.47 (1dx), except that in s. 560.795, “tax benefits” means the
21 development zones investment credit under ss. 71.07 (2di), 71.28 (1di) and 71.47 (1di)
22 and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx) and 71.47 (1dx).”.

23 **1469.** Page 1397, line 11: after that line insert:

24 “**SECTION 3000n.** 560.785 (1) (intro.) of the statutes is amended to read:

1 560.785 (1) (intro.) For the development zone program under ss. 560.70 to
2 560.78, the development opportunity zone program under s. 560.795 and the
3 enterprise development zone program under s. 560.797, the department shall
4 promulgate rules that further define a person's eligibility for tax benefits. The rules
5 shall do at least all of the following:".

6 **1470.** Page 1397, line 15: after "development zone" insert ". as a development
7 opportunity zone".

8 **1471.** Page 1398, line 2: after "development zone" insert ". as a development
9 opportunity zone".

10 **1472.** Page 1398, line 21: after that line insert:

11 "SECTION 3006h. 560.795 (1) (d) of the statutes is created to read:

12 560.795 (1) (d) An area in the city of Kenosha, the legal description of which
13 is provided to the department by the local governing body of the city of Kenosha.

14 SECTION 3006j. 560.795 (2) (a) of the statutes is amended to read:

15 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
16 sub. (1) (a), (b) and (c) as a development opportunity zone shall be effective for 36
17 months, with the designation of the areas under sub. (1) (a) and (b) beginning on
18 April 23, 1994, and the designation of the area under sub. (1) (c) beginning on April
19 28, 1995. Except as provided in par. (d), the designation of the area under sub. (1)
20 (d) as a development opportunity zone shall be effective for 84 months, beginning on
21 January 1, 2000.

22 SECTION 3006L. 560.795 (2) (b) 4. of the statutes is created to read:

23 560.795 (2) (b) 4. The limit for tax benefits for the development opportunity
24 zone under sub. (1) (d) is \$7,000,000.

1 **SECTION 3006n.** 560.795 (3) (a) 3. of the statutes is created to read:

2 560.795 **(3)** (a) 3. Any corporation that is conducting or that intends to conduct
3 economic activity in a development opportunity zone under sub. (1) (d) and that, in
4 conjunction with the local governing body of the city in which the development
5 opportunity zone is located, submits a project plan as described in par. (b) to the
6 department no later than July 1, 2000, shall be entitled to claim tax benefits while
7 the area is designated as a development opportunity zone.

8 **SECTION 3006p.** 560.795 (3) (d) of the statutes is amended to read:

9 560.795 **(3)** (d) The department annually shall verify information submitted
10 to the department under s. 71.07 (2di) or (2dx), 71.28 (1di) or (1dx) or 71.47 (1di) or
11 (1dx).”.

12 **1473.** Page 1400, line 18: after that line insert:

13 “**SECTION 3020m.** 560.835 (7) (b) of the statutes is amended to read:

14 560.835 **(7)** (b) The department shall deposit in the recycling fund
15 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995
16 the effective date of this paragraph [revisor inserts date], in repayment of loans
17 made under this section.”.

18 **1474.** Page 1401, line 5: after that line insert:

19 “**SECTION 3023j.** 562.065 (4) of the statutes is amended to read:

20 562.065 **(4)** UNCLAIMED PRIZES. ~~Any A licensee under s. 562.05 (1) (b) may retain~~
21 any winnings on a race ~~which~~ that are not claimed within 90 days after the end of
22 the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the~~
23 department. ~~The department shall credit moneys received under this subsection to~~
24 the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g).”.

1 **1475.** Page 1401, line 5: after that line insert:

2 “**SECTION 3023t.** 565.02 (2) (e) of the statutes is created to read:

3 565.02 **(2)** (e) If requested by a lottery prize winner to provide a certification
4 that lists the amounts of the lottery prize payments, if any, that the administrator
5 is required to withhold under s. 565.30 (4), (5), (5m) and (5r), the administrator shall
6 provide the certification.”.

7 **1476.** Page 1401, line 5: after that line insert:

8 “**SECTION 3023f.** 562.05 (1c) of the statutes is amended to read:

9 562.05 **(1c)** If the applicant for a license under this section is an individual, the
10 department may not issue or renew a license if the individual has not provided his
11 or her social security number, unless the individual does not have a social security
12 number and the applicant submits a statement made or subscribed under oath or
13 affirmation as required under sub. (1e). If the applicant for a license under this
14 section is not an individual, the department may not issue or renew a license if the
15 person has not provided the person’s federal employer identification number.

16 **SECTION 3023g.** 562.05 (1e) of the statutes is created to read:

17 562.05 **(1e)** If an applicant for a license under this section is an individual who
18 does not have a social security number, the applicant shall submit to the department
19 with his or her application a statement made or subscribed under oath or affirmation
20 that the applicant does not have a social security number. The form of the statement
21 shall be prescribed by the department of workforce development. A license issued
22 in reliance upon a false statement submitted under this subsection is invalid.

23 **SECTION 3023k.** 562.05 (7) (am) 1. of the statutes is amended to read:

1 562.05 (7) (am) 1. The department shall require each person who is subject to
2 an investigation under par. (a) and who is an individual to provide his or her social
3 security number, unless the person is an individual who does not have a social
4 security number and the person submits a statement made or subscribed under oath
5 or affirmation as required under sub. (1e).”.

6 **1477.** Page 1402, line 19: after that line insert:

7 “**SECTION 3025m.** 565.30 (5) of the statutes, as affected by 1997 Wisconsin Act
8 27, is amended to read:

9 565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS
10 OWED THE STATE. The administrator shall report the name, address and social security
11 number of each winner of a lottery prize equal to or greater than \$1,000 and the
12 name, address and social security number of each person to whom a lottery prize
13 equal to or greater than \$1,000 has been assigned to the department of revenue to
14 determine whether the payee or assignee of the prize is delinquent in the payment
15 of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court–ordered payment of child
16 support or has a debt owing to the state. Upon receipt of a report under this
17 subsection, the department of revenue shall first ascertain based on certifications by
18 the department of workforce development or its designee under s. 49.855 (1) whether
19 any person named in the report is currently delinquent in court–ordered payment
20 of child support and shall next certify to the administrator whether any person
21 named in the report is delinquent in court–ordered payment of child support or
22 payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by
23 the department of revenue or upon court order the administrator shall withhold the
24 certified amount and send it to the department of revenue for remittance to the

1 appropriate agency or person. At the time of remittance, the department of revenue
2 shall charge its administrative expenses to the state agency that has received the
3 remittance. The administrative expenses received by the department of revenue
4 shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which
5 the payee or assignee of the prize is delinquent both in payments for state taxes and
6 in court-ordered payments of child support, or is delinquent in one or both of these
7 payments and has a debt owing to the state, the amount remitted to the appropriate
8 agency or person shall be in proportion to the prize amount as is the delinquency or
9 debt owed by the payee or assignee.

10 **SECTION 3025p.** 565.30 (5m) of the statutes is renumbered 565.30 (5m) (a) and
11 amended to read:

12 **565.30 (5m) (a)** WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE
13 OR FAMILY SUPPORT. The administrator shall report to the department of workforce
14 development the name, address and social security number of each winner of a
15 lottery prize that is payable in instalments and the name, address and social security
16 number or federal income tax number of the person who has been assigned a lottery
17 prize that is payable in instalments. Upon receipt of the report, the department of
18 workforce development shall certify to the administrator whether any payee or
19 assignee named in the report is obligated to provide child support, spousal support,
20 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,
21 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or
22 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize
23 under s. 767.265. The Subject to par. (b), the administrator shall withhold the
24 certified amount from each payment made to the winner or assignee and remit the
25 certified amount to the department of workforce development.

1 **SECTION 3025pc.** 565.30 (5m) (b) of the statutes is created to read:

2 565.30 **(5m)** (b) The administrator may not withhold from any payment to an
3 assignee of a lottery prize any child support, spousal support, maintenance or family
4 support specified in par. (a) that is owed by a winner of a lottery prize, nor may the
5 administrator withhold from any payment to a winner any child support, spousal
6 support maintenance or family support that is owed by an assignee.

7 **SECTION 3025pf.** 565.30 (5r) (a) of the statutes is amended to read:

8 565.30 **(5r)** (a) Annually, the administrator shall provide each clerk of circuit
9 court in the state with a list of the winners or assignees of a lottery prize that is
10 payable in instalments. The list shall include each winner or assignee since the date
11 of the previous list.

12 **SECTION 3025pg.** 565.30 (5r) (b) of the statutes is amended to read:

13 565.30 **(5r)** (b) If Subject to par. (c), if the administrator receives a notice under
14 s. 973.05 (5) (a) or 778.30 (2) (a) of the assignment of lottery prizes under s. 973.05
15 (4) (c) or 778.30 (1) (c) and determines that the person subject to the assignment is
16 a winner or assignee of a lottery prize that is payable in instalments, the
17 administrator shall withhold the amount of the judgment that is the basis of the
18 assignment from the next instalment payment. The administrator shall submit the
19 withheld amount to the court that issued the assignment. At the time of the
20 submittal, the administrator shall charge the administrative expenses related to
21 that withholding and submittal to the winner or assignee of the lottery prize and
22 withhold those expenses from the balance of the instalment payment. The
23 administrator shall notify the winner or assignee of the reason that the amount is
24 withheld from the instalment payment. If the initial instalment payment is
25 insufficient to pay the judgment and administrative expenses, the administrator

1 shall withhold and submit to the court an amount from any additional instalment
2 payments until the judgment and administrative expenses are paid in full and the
3 assignment is no longer in effect. The administrative expenses received by the
4 department shall be credited to the appropriation under s. 20.566 (1) (h).

5 **SECTION 3025ph.** 565.30 (5r) (c) of the statutes is created to read:

6 565.30 (5r) (c) The administrator may not withhold from any payment to an
7 assignee of a lottery prize the amount specified in par. (b) that is owed by a winner
8 of a lottery prize, nor may the administrator withhold from any payment to a winner
9 the amount specified in par. (b) that is owed by an assignee.

10 **SECTION 3025pj.** 565.30 (5t) of the statutes is amended to read:

11 565.30 (5t) PRIORITY OF WITHHOLDING. (intro.) The administrator shall withhold
12 payments under this section from a winner or assignee of a lottery prize in the
13 following order:

14 **SECTION 3025pL.** 565.30 (6) of the statutes is repealed.

15 **SECTION 3025pm.** 565.30 (6m) of the statutes is created to read:

16 565.30 (6m) USE OF LOTTERY PRIZE AS SECURITY FOR LOAN. (a) *Definition.* In this
17 subsection, “prize winner” means a person who has won a lottery prize and any other
18 person who is authorized by law to use a lottery prize as security for a loan.

19 (b) *Security for a loan.* A prize winner may use a lottery prize or part of a lottery
20 prize as security for a loan only pursuant to a court order issued under this
21 subsection.

22 (c) *Judicial process for using lottery prizes as security for loans.* Any prize
23 winner who intends to use part or all of a lottery prize as security for a loan shall
24 petition the circuit court of the county in which the prize winner resides or the circuit
25 court of Dane County for a court order confirming the use of a lottery prize as security

1 for a loan. The circuit court of the county in which the prize winner resides or the
2 circuit court of Dane County shall issue an order confirming the use of a lottery prize
3 as security for a loan only if all of the following occur:

4 1. The prize winner is represented by independent legal counsel.

5 2. A copy of the contract that provides for using any part of the lottery prize as
6 security for the loan is attached to the petition.

7 3. The contract is executed by the prize winner, is subject to the laws of this
8 state and provides that the prize winner has the right to cancel the contract until
9 midnight of the 3rd business day after the date on which the prize winner entered
10 into the contract.

11 4. The prize winner attests, by sworn affidavit, that he or she is of sound mind,
12 is not acting under duress and acknowledges that the state will not make any of the
13 lottery prize payments or parts of lottery prize payments to the prize winner that are
14 being used as security for the loan in the event the prize winner defaults on the loan.

15 5. The prize winner, by sworn affidavit, provides the court with an accounting
16 of all claims to, or judgments, liens, security interests, garnishments, assignments
17 or attachments against, all or any part of the lottery prize payments.

18 6. The prize winner provides the court a certification from the administrator
19 that lists the amounts of the lottery prize payments, if any, that the administrator
20 is required to withhold for the prize winner under subs. (4), (5), (5m) and (5r).

21 7. The part of the lottery prize that is being used as security for the loan does
22 not include the amounts of any withholdings specified under subs. (4), (5), (5m) and
23 (5r).

24 8. The court determines that the interest rate on the loan does not exceed the
25 weekly prime rate for the week prior to the date on which the court received a copy

1 of the contract, as reported by the federal reserve board in federal reserve statistical
2 release H. 15, plus 6%. In making the calculation under this subdivision, the court
3 shall subtract from the compensation received by the individual or organization
4 making the loan any required fees or other costs charged the prize winner.

5 (d) *Contents of court order.* A court order issued under par. (c) shall include all
6 of the following:

7 1. The name of the prize winner.

8 2. The prize winner's social security number if the prize winner is an
9 individual, or federal income tax identification number if the prize winner is an
10 organization.

11 3. The name of the individual or organization that is making the loan to the
12 prize winner.

13 4. The social security number of the individual or the federal income tax
14 identification number of the organization that is making the loan to the prize winner.

15 5. If an individual is making the loan to the prize winner, the citizenship of the
16 individual. If the individual is not a citizen of the United States of America, the order
17 shall include the individual's resident alien number.

18 (e) *Administration.* Upon receipt of a court order issued under par. (c), the
19 individual or organization making the loan shall provide a certified copy of the court
20 order to the administrator. The administrator shall acknowledge receipt of the court
21 order in writing to the individual or organization making the loan and shall make
22 all lottery prize payments according to the terms specified in the court order. The
23 administrator may charge an initial processing fee, in an amount determined by
24 rule, to cover any costs associated with processing the lottery prize payments in
25 accordance with the terms specified in the court order.

1 **SECTION 3025pp.** 565.30 (6r) of the statutes is created to read:

2 **565.30 (6r)** VOLUNTARY ASSIGNMENT OF LOTTERY PRIZE. (a) *Definition.* In this
3 subsection, “assignor” means a lottery prizewinner or a person who has the right to
4 assign all or part of a lottery prize.

5 (b) *Voluntary assignment.* An assignor may make a voluntary assignment of
6 a lottery prize or part of a lottery prize only pursuant to a court order issued under
7 this subsection.

8 (c) *Judicial process for assignment.* Any assignor who intends to voluntarily
9 assign part or all of a lottery prize to any individual or organization shall petition the
10 circuit court of the county in which the assignor resides or the circuit court of Dane
11 County for a court order confirming the assignment. The circuit court of the county
12 in which the assignor resides or the circuit court of Dane County shall issue an order
13 confirming the assignment only if all of the following occur:

- 14 1. The assignor is represented by independent legal counsel.
15 2. A copy of the assignment is attached to the petition.
16 3. The assignment is in writing, is executed by the assignor and is subject to
17 the laws of this state.

18 3m. The contract for the assignment provides that the assignor has the right
19 to cancel the contract until midnight of the 3rd business day after the date on which
20 the assignor entered into the contract.

21 3r. The contract for the assignment provides that the assignor, from the
22 proceeds received from the individual or organization to whom part or all of the
23 lottery prize is assigned, agrees to pay in full any delinquent payments that may be
24 owed by the assignor under subs. (4), (5), (5m) and (5r).

1 4. The assignor attests, by sworn affidavit, that he or she is of sound mind, is
2 not acting under duress and acknowledges that the state will not make any of the
3 assigned lottery prize payments or parts of lottery prize payments to the assignor.

4 5. The assignor, by sworn affidavit, provides the court with an accounting of all
5 claims to, or judgments, liens, security interests, garnishments, assignments or
6 attachments against, all or any part of the lottery prize payments.

7 6. The assignment does not include the amounts of any withholdings specified
8 under sub. (4), (5), (5m) or (5r).

9 7. The assignor provides the court a certification from the administrator that
10 lists the amounts of the lottery prize payments, if any, that the administrator is
11 required to withhold for the assignor under subs. (4), (5), (5m) and (5r).

12 8. The payment that the assignor will receive as compensation for the
13 assignment is at least equal to the present value of the assigned lottery prize
14 payments, discounted at a rate no greater than the weekly prime rate for the week
15 prior to the date on which the court received a copy of the assignment, as reported
16 by the federal reserve board in federal reserve statistical release H. 15, plus 6%. In
17 making the calculation under this subdivision, the court shall subtract from the
18 compensation received by the assignor any required fees or other costs charged the
19 assignor.

20 9. The individual or organization to whom part or all of the lottery prize is
21 assigned specifies in an affidavit that the individual or organization agrees to report
22 and pay any state income or franchise tax that is owed on any income or gain realized
23 from the purchase and subsequent sale or redemption of any lottery prize.

24 (d) *Contents of court order.* A court order issued under par. (c) shall include all
25 of the following:

1 1. The name of the prizewinner or the name of the assignor, if different from
2 the prizewinner.

3 2. The assignor's social security number if the assignor is an individual, or
4 federal income tax identification number if the assignor is an organization.

5 3. The name of the individual or organization to whom part or all of the lottery
6 prize is assigned.

7 4. The social security number of the individual or the federal income tax
8 identification number of the organization to whom part or all of the lottery prize is
9 assigned.

10 5. If part or all of the lottery prize is assigned to an individual, the citizenship
11 of the individual. If the individual is not a citizen of the United States of America,
12 the order shall include the individual's resident alien number.

13 6. The number of assigned lottery prize payments and the dates on which the
14 assigned lottery prize payments are to be paid.

15 7. The gross amount of each of the lottery prize payments that are subject to
16 withholding for tax purposes and that are assigned.

17 (e) *Administration of lottery prize assignment.* Upon receipt of a court order
18 issued under par. (c), the individual or organization to whom the lottery prize is
19 assigned shall provide a certified copy of the court order to the administrator. The
20 administrator shall acknowledge receipt of the court order in writing to the
21 individual or organization to whom the lottery prize is assigned and shall make all
22 lottery prize payments according to the terms specified in the court order. The
23 administrator may charge an initial processing fee, in an amount determined by
24 rule, to cover any costs associated with processing the lottery prize payments in
25 accordance with the terms specified in the court order.”.

1 **1478.** Page 1402, line 19: after that line insert:

2 “**SECTION 3025t.** 569.01 (1j) of the statutes is created to read:

3 569.01 **(1j)** “Indian gaming facility” means a facility at which Indian gaming
4 is conducted under an Indian gaming compact.”.

5 **1479.** Page 1402, line 19: after that line insert:

6 “**SECTION 3025w.** 565.45 of the statutes is amended to read:

7 **565.45 Report on expense limitation.** Before January 1, ~~1992~~ 2002, and
8 every 2 years thereafter, the department shall submit a report to the chief clerk of
9 each house of the legislature, for distribution to the legislature under s. 13.172 (2),
10 on the effects on the operation of the lottery of the 10% expense limitation under s.
11 25.75 (3) (b).”.

12 **1480.** Page 1402, line 19: after that line insert:

13 “**SECTION 3025r.** 565.30 (5m) (a) of the statutes, as affected by 1999 Wisconsin
14 Act (this act), is amended to read:

15 **565.30 (5m) (a)** WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE
16 OR FAMILY SUPPORT. The administrator shall report to the department of workforce
17 development the name, address and social security number of each winner of a
18 lottery prize that is payable in instalments and the name, address and social security
19 number or federal income tax number of the person who has been assigned a lottery
20 prize that is payable in instalments. Upon receipt of the report, the department of
21 workforce development shall certify to the administrator whether any payee or
22 assignee named in the report is obligated to provide child support, spousal support,
23 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,
24 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) ~~(a)~~ or

1 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize
2 under s. 767.265. Subject to par. (b), the administrator shall withhold the certified
3 amount from each payment made to the winner or assignee and remit the certified
4 amount to the department of workforce development.”.

5 **1481.** Page 1402, line 23: after that line insert:

6 “**SECTION 3026h.** 569.01 (4) of the statutes is created to read:

7 569.01 (4) “Net win” means the amount wagered at an Indian gaming facility,
8 less the amount paid out in winnings at the Indian gaming facility.

9 **SECTION 3026p.** 569.02 (5) of the statutes is created to read:

10 569.02 (5) On March 1 annually, for each payment of Indian gaming receipts,
11 as described under s. 569.01 (1m) (d), received by the state from an Indian tribe in
12 the prior calendar year, determine the amount to be transferred under s. 20.505 (8)
13 (hm) to the appropriation account under s. 20.835 (2) (ka) by doing all of the
14 following:

15 (a) Dividing the net win in the prior calendar year at all of the Indian tribe’s
16 Indian gaming facilities at which pari-mutuel racing is conducted and at which
17 pari-mutuel racing under ch. 562 was conducted on the effective date of this
18 paragraph [revisor inserts date], by the net win in the prior calendar year at all
19 of the Indian tribe’s Indian gaming facilities.

20 (b) Multiplying the number calculated under par. (a) by the amount of Indian
21 gaming receipts, as described under s. 569.01 (1m) (d), received by the state from the
22 Indian tribe in the prior calendar year.”.

23 **1482.** Page 1404, line 15: after that line insert:

1 **“SECTION 3035m.** 610.70 (1) (e) of the statutes, as created by 1997 Wisconsin
2 Act 231, is amended to read:

3 610.70 **(1)** (e) “Medical care institution” means a facility, as defined in s. 647.01
4 (4), or any hospital, nursing home, community-based residential facility, county
5 home, county infirmary, county hospital, county mental health center, tuberculosis
6 sanatorium, adult family home, assisted living facility, rural medical center, hospice
7 or other place licensed, certified or approved by the department of health and family
8 services under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35,
9 50.52, 50.90, 51.04, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a facility under s.
10 45.365, 51.05, 51.06 or 252.10 or under ch. 233 or licensed or certified by a county
11 department under s. 50.032 or 50.033.”.

12 **1483.** Page 1404, line 15: after that line insert:

13 **“SECTION 3037c.** 628.095 (1) of the statutes is amended to read:

14 628.095 **(1)** REQUIRED ON APPLICATIONS. An application for a license issued
15 under this subchapter shall contain the applicant’s social security number, if the
16 applicant is a natural person unless the applicant does not have a social security
17 number, or the applicant’s federal employer identification number, if the applicant
18 is not a natural person.

19 **SECTION 3037d.** 628.095 (2) of the statutes is amended to read:

20 628.095 **(2)** REFUSAL TO ISSUE LICENSE. The commissioner may not issue a
21 license, including a temporary license, under this subchapter unless the applicant
22 provides his or her social security number, if the applicant is a natural person unless
23 the applicant does not have a social security number, or provides the applicant’s
24 federal tax identification number, if the applicant is not a natural person.

1 **SECTION 3037e.** 628.095 (3) of the statutes is amended to read:

2 628.095 (3) REQUIRED WHEN ANNUAL FEE PAID. At the time that the annual fee
3 is paid under s. 601.31 (1) (m), an intermediary who is a natural person shall provide
4 his or her social security number unless the intermediary does not have a social
5 security number, and an intermediary that is not a natural person shall provide its
6 federal employer identification number, if the social security number or federal
7 employer identification number was not provided on the application for the license
8 or previously when the annual fee was paid.

9 **SECTION 3037g.** 628.095 (5) of the statutes is created to read:

10 628.095 (5) IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an
11 applicant who is a natural person does not have a social security number, the
12 applicant shall provide to the commissioner, along with the application for a license
13 and on a form prescribed by the department of workforce development, a statement
14 made or subscribed under oath or affirmation that the applicant does not have a
15 social security number. If an intermediary who is a natural person does not have a
16 social security number, the intermediary shall provide to the commissioner, each
17 time that the annual fee is paid under s. 601.31 (1) (m) and on a form prescribed by
18 the department of workforce development, a statement made or subscribed under
19 oath or affirmation that the applicant does not have a social security number.

20 **SECTION 3037j.** 628.10 (2) (cr) of the statutes is created to read:

21 628.10 (2) (cr) *For providing false information in statement.* The commissioner
22 shall revoke the license of an intermediary, including a temporary license under s.
23 628.09, if the commissioner determines, after a hearing, that the intermediary
24 provided false information in a statement provided under s. 628.095 (5) with the

intermediary's application or at the time that the annual fee was paid under s. 601.31 (1) (m).

SECTION 3037k. 628.10 (2) (d) of the statutes is amended to read:

628.10 (2) (d) *For failure to provide social security ~~or~~ number, federal employer identification number or statement.* If an intermediary fails to provide a social security number or federal employer identification number as required under s. 628.095 (3) or a statement as required under s. 628.095 (5), the commissioner shall suspend or limit the license of the intermediary, effective the day following the last day on which the annual fee under s. 601.31 (1) (m) may be paid, if the commissioner has given the intermediary reasonable notice of when the fee must be paid to avoid suspension or limitation. If the intermediary provides the social security number ~~or~~, federal employer identification number or statement within 60 days from the effective date of the suspension, the commissioner shall reinstate the intermediary's license effective as of the date of suspension.”.

1484. Page 1404, line 15: after that line insert:

“**SECTION 3036c.** 609.10 (title) of the statutes is amended to read:

609.10 (title) Standard plan and point-of-service option plan required.

SECTION 3036d. 609.10 (1) (a) of the statutes is renumbered 609.10 (1) (am) and amended to read:

609.10 (1) (am) Except as provided in subs. (2) to (4), an employer that offers any of its employees a health maintenance organization or a preferred provider plan that provides comprehensive health care services shall also offer the employees a standard plan, ~~as provided in pars. (b) and (c)~~, that provides at least substantially

1 equivalent coverage of health care expenses and a point-of-service option plan, as
2 provided in pars. (b) and (c).

3 **SECTION 3036e.** 609.10 (1) (ac) of the statutes is created to read:

4 609.10 (1) (ac) In this section, “point-of-service option plan” means a health
5 maintenance organization or preferred provider plan that permits an enrollee to
6 obtain covered health care services from a provider that is not a participating
7 provider of the health maintenance organization or preferred provider plan under all
8 of the following conditions:

9 1. The nonparticipating provider holds a license or certificate that authorizes
10 or qualifies the provider to provide the health care services.

11 2. The health maintenance organization or preferred provider plan is required
12 to pay the nonparticipating provider only the amount that the health maintenance
13 organization or preferred provider plan would pay a participating provider for those
14 health care services.

15 3. The enrollee is responsible for any additional costs or charges related to the
16 coverage.

17 **SECTION 3036f.** 609.10 (1) (b) of the statutes is amended to read:

18 609.10 (1) (b) At least once annually, the employer shall provide the employees
19 the opportunity to enroll in the health care plans under par. (a) (am).

20 **SECTION 3036g.** 609.10 (1) (c) of the statutes is amended to read:

21 609.10 (1) (c) The employer shall provide the employees adequate notice of the
22 opportunity to enroll in the health care plans under par. (a) (am) and shall provide
23 the employees complete and understandable information concerning the differences
24 between among the health maintenance organization or preferred provider plan and,
25 the standard plan and the point-of-service option plan.

1 **SECTION 3036h.** 609.10 (2) of the statutes is amended to read:

2 609.10 **(2)** If, after providing an opportunity to enroll under sub. (1) (b) and the
3 notice and information under sub. (1) (c), fewer than 25 employees indicate that they
4 wish to enroll in either the standard plan or the point-of-service option plan under
5 sub. (1) ~~(a)~~ (am), the employer need not offer ~~the standard~~ that plan on that occasion.

6 **SECTION 3036i.** 609.10 (3) of the statutes is renumbered 609.10 (3) (intro.) and
7 amended to read:

8 609.10 **(3)** (intro.) Subsection (1) does not apply to an employer that employs
9 does any of the following:

10 ~~(a)~~ Employes fewer than 25 full-time employees.

11 **SECTION 3036j.** 609.10 (3) (b) of the statutes is created to read:

12 609.10 **(3)** (b) Offers its employees a health maintenance organization or a
13 preferred provider plan only through an insurer that is a cooperative association
14 organized under ss. 185.981 to 185.985 or only through an insurer that is restricted
15 under s. 609.03 (3).

16 **SECTION 3036k.** 609.10 (6) of the statutes is created to read:

17 609.10 **(6)** The commissioner shall promulgate rules necessary for the
18 administration of the requirement to offer point-of-service option plans under sub.
19 (1) (am).

20 **SECTION 3036n.** 609.20 (3) of the statutes is amended to read:

21 609.20 **(3)** To define substantially equivalent coverage of health care expenses
22 for purposes of s. 609.10 (1) ~~(a)~~ (am).

23 **SECTION 3036p.** 609.20 (4) of the statutes is amended to read:

24 609.20 **(4)** To ensure that employees offered a health maintenance organization
25 or a preferred provider plan that provides comprehensive services under s. 609.10

1 (1) ~~(a) (am)~~ are given adequate notice of the opportunity to enroll, as well as complete
2 and understandable information under s. 609.10 (1) (c) concerning the differences
3 between among the health maintenance organization or preferred provider plan and,
4 the standard plan and the point-of-service option plan, as defined in s. 609.10 (1)
5 (ac), including differences between among providers available and differences
6 resulting from special limitations or requirements imposed by an institutional
7 provider because of its affiliation with a religious organization.”.

8 **1485.** Page 1404, line 15: after that line insert:

9 “**SECTION 3035c.** 609.05 (2) of the statutes is amended to read:

10 609.05 **(2)** Subject to s. 609.22 (4) and (4m), a limited service health
11 organization, preferred provider plan or managed care plan may require an enrollee
12 to designate a primary provider and to obtain health care services from the primary
13 provider when reasonably possible.

14 **SECTION 3035f.** 609.05 (3) of the statutes is amended to read:

15 609.05 **(3)** Except as provided in ss. 609.22 (4m), 609.65 and 609.655, a limited
16 service health organization, preferred provider plan or managed care plan may
17 require an enrollee to obtain a referral from the primary provider designated under
18 sub. (2) to another participating provider prior to obtaining health care services from
19 that participating provider.

20 **SECTION 3036r.** 609.22 (4m) of the statutes is created to read:

21 609.22 **(4m)** OBSTETRIC AND GYNECOLOGIC SERVICES. (a) A managed care plan
22 that provides coverage of obstetric or gynecologic services may not require a female
23 enrollee of the managed care plan to obtain a referral for covered obstetric or
24 gynecologic benefits provided by a participating provider who is a physician licensed

1 under ch. 448 and who specializes in obstetrics and gynecology, regardless of whether
2 the participating provider is the enrollee's primary provider. Notwithstanding sub.
3 (4), the managed care plan may not require the enrollee to obtain a standing referral
4 under the procedure established under sub. (4) (a) for covered obstetric or gynecologic
5 benefits.

6 (b) A managed care plan under par. (a) may not do any of the following:

7 1. Penalize or restrict the coverage of a female enrollee on account of her having
8 obtained obstetric or gynecologic services in the manner provided under par. (a).

9 2. Penalize or restrict the contract of a participating provider on account of his
10 or her having provided obstetric or gynecologic services in the manner provided
11 under par. (a).

12 (c) A managed care plan under par. (a) shall provide written notice of the
13 requirement under par. (a) in every policy or group certificate issued by the managed
14 care plan and during each open enrollment period.”.

15 **1486.** Page 1405, line 22: after that line insert:

16 “**SECTION 3043c.** 632.68 (2) (b) (intro.) of the statutes is amended to read:

17 632.68 (2) (b) (intro.) A person may apply to the commissioner for a viatical
18 settlement provider license on a form prescribed by the commissioner for that
19 purpose. The application form shall require the applicant to provide the applicant's
20 social security number, if the applicant is a natural person unless the applicant does
21 not have a social security number, or the applicant's federal employer identification
22 number, if the applicant is not a natural person. The fee specified in s. 601.31 (1)
23 (mm) shall accompany the application. After any investigation of the applicant that

1 the commissioner determines is sufficient, the commissioner shall issue a viatical
2 settlement provider license to an applicant that satisfies all of the following:

3 **SECTION 3043d.** 632.68 (2) (b) 2. of the statutes is amended to read:

4 632.68 (2) (b) 2. Provides complete information on the application, including
5 the applicant's social security number, unless the applicant does not have a social
6 security number, or federal employer identification number.

7 **SECTION 3043e.** 632.68 (2) (b) 3m. of the statutes is created to read:

8 632.68 (2) (b) 3m. If a natural person who does not have a social security
9 number, provides on a form prescribed by the department of workforce development
10 a statement made or subscribed under oath or affirmation that the applicant does
11 not have a social security number.

12 **SECTION 3043f.** 632.68 (2) (e) of the statutes is amended to read:

13 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
14 subsection shall be renewed annually on the anniversary date upon payment of the
15 fee specified in s. 601.31 (1) (mp) and upon providing the licensee's social security
16 number, unless the licensee does not have a social security number, or federal
17 employer identification number, as applicable, if not previously provided on the
18 application for the license or at a previous renewal of the license. If the licensee is
19 a natural person who does not have a social security number, the license shall be
20 renewed annually on the anniversary date upon payment of the fee specified in s.
21 601.31 (1) (mp) and upon providing to the commissioner a statement made or
22 subscribed under oath or affirmation, on a form prescribed by the department of
23 workforce development, that the licensee does not have a social security number.

24 **SECTION 3043g.** 632.68 (3) (b) 3. of the statutes is created to read:

1 632.68 (3) (b) 3. The commissioner shall revoke a viatical settlement provider
2 license if the commissioner determines, after a hearing, that the licensee provided
3 false information in a statement provided under sub. (2) (b) 3m. or (e).

4 **SECTION 3043h.** 632.68 (4) (b) of the statutes is amended to read:

5 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
6 broker license on a form prescribed by the commissioner for that purpose. The
7 application form shall require the applicant to provide the applicant's social security
8 number, if the applicant is a natural person unless the applicant does not have a
9 social security number, or the applicant's federal employer identification number, if
10 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
11 accompany the application. The commissioner may not issue a license under this
12 subsection unless the applicant provides his or her social security number, unless the
13 applicant does not have a social security number, or its federal employer
14 identification number, whichever is applicable. If the applicant is a natural person
15 who does not have a social security number, the commissioner may not issue a license
16 under this subsection unless the applicant provides, on a form prescribed by the
17 department of workforce development, a statement made or subscribed under oath
18 or affirmation that the applicant does not have a social security number.

19 **SECTION 3043i.** 632.68 (4) (c) of the statutes is amended to read:

20 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
21 subsection shall be renewed annually on the anniversary date upon payment of the
22 fee specified in s. 601.31 (1) (ms) and upon providing the licensee's social security
23 number, unless the licensee does not have a social security number, or federal
24 employer identification number, as applicable, if not previously provided on the
25 application for the license or at a previous renewal of the license. If the licensee is

1 a natural person who does not have a social security number, the license shall be
2 renewed annually, except as provided in sub. (5), on the anniversary date upon
3 payment of the fee specified in s. 601.31 (1) (ms) and upon providing to the
4 commissioner a statement made or subscribed under oath or affirmation, on a form
5 prescribed by the department of workforce development, that the licensee does not
6 have a social security number.

7 **SECTION 3043j.** 632.68 (5) (b) 3. of the statutes is created to read:

8 632.68 (5) (b) 3. The commissioner shall revoke a viatical settlement broker
9 license if the commissioner determines, after a hearing, that the licensee provided
10 false information in a statement submitted under sub. (4) (b) or (c).”.

11 **1487.** Page 1405, line 24: after that line insert:

12 **“SECTION 3044b.** 632.89 (2) (a) 2. of the statutes is amended to read:

13 632.89 (2) (a) 2. Except as provided in pars. (b) to (e), coverage of conditions
14 under subd. 1. by a policy may be subject to exclusions or limitations, including
15 deductibles and copayments, that are generally applicable to other conditions
16 covered under the policy.

17 **SECTION 3044c.** 632.89 (2) (b) 1. of the statutes is amended to read:

18 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability
19 insurance policy issued by an insurer provides coverage of inpatient hospital
20 treatment or outpatient treatment or both, the policy shall provide coverage in every
21 policy year as provided in pars. (c) to (dm), as appropriate, except that the total
22 coverage under the policy for a policy year need not exceed \$7,000 or, ~~if the coverage~~
23 ~~is provided by a health maintenance organization, as defined in s. 609.01 (2), the~~
24 equivalent benefits measured in services rendered.

1 **SECTION 3044e.** 632.89 (2) (c) 2. b. of the statutes is amended to read:

2 632.89 (2) (c) 2. b. Seven thousand dollars minus a copayment of up to 10% any
3 applicable cost sharing at the level charged under the policy for inpatient hospital
4 services ~~or, if the coverage is provided by a health maintenance organization, as~~
5 ~~defined in s. 609.01 (2), \$6,300 or the equivalent benefits measured in services~~
6 ~~rendered or, if the policy does not use cost sharing, \$6,300 in equivalent benefits~~
7 measured in services rendered.

8 **SECTION 3044ht.** 632.89 (2) (d) 2. of the statutes is amended to read:

9 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
10 provide coverage in every policy year for not less than \$2,000 minus a copayment of
11 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for
12 outpatient services ~~or, if the coverage is provided by a health maintenance~~
13 ~~organization, as defined in s. 609.01 (2), \$1,800 or the equivalent benefits measured~~
14 ~~in services rendered or, if the policy does not use cost sharing, \$1,800 in equivalent~~
15 benefits measured in services rendered.

16 **SECTION 3044i.** 632.89 (2) (dm) 2. of the statutes is amended to read:

17 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
18 provide coverage in every policy year for not less than \$3,000 minus a copayment of
19 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for
20 transitional treatment arrangements ~~or, if the coverage is provided by a health~~
21 ~~maintenance organization, as defined in s. 609.01 (2), \$2,700 or the equivalent~~
22 ~~benefits measured in services rendered or, if the policy does not use cost sharing,~~
23 \$2,700 in equivalent benefits measured in services rendered.”.

24 **1488.** Page 1406, line 3: after that line insert:

1 **“SECTION 3044j.** 633.14 (1) (d) of the statutes is amended to read:

2 633.14 (1) (d) Provides his or her social security number, unless the individual
3 does not have a social security number.

4 **SECTION 3044k.** 633.14 (1) (e) of the statutes is created to read:

5 633.14 (1) (e) If an individual who does not have a social security number,
6 provides on a form prescribed by the department of workforce development a
7 statement made or subscribed under oath or affirmation that he or she does not have
8 a social security number.

9 **SECTION 3044L.** 633.15 (1m) of the statutes is amended to read:

10 633.15 (1m) SOCIAL SECURITY OR NUMBER. FEDERAL EMPLOYER IDENTIFICATION
11 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or
12 her social security number, if the administrator is an individual unless he or she does
13 not have a social security number, or its federal employer identification number, if
14 the administrator is a corporation, limited liability company or partnership, if the
15 social security number or federal employer identification number was not previously
16 provided on the application for the license or at a previous renewal of the license. If
17 an administrator who is an individual does not have a social security number, the
18 individual shall provide to the commissioner, at each annual renewal and on a form
19 prescribed by the department of workforce development, a statement made or
20 subscribed under oath or affirmation that the administrator does not have a social
21 security number.

22 **SECTION 3044m.** 633.15 (2) (a) 1. of the statutes is amended to read:

23 633.15 (2) (a) 1. If an administrator fails to pay the annual renewal fee as
24 provided under sub. (1) or fails to provide a social security number or, federal
25 employer identification number or statement made or subscribed under oath or

1 affirmation as required under sub. (1m), the commissioner shall suspend the
2 administrator's license effective the day following the last day when the annual
3 renewal fee may be paid, if the commissioner has given the administrator reasonable
4 notice of when the fee must be paid to avoid suspension.

5 **SECTION 3044n.** 633.15 (2) (a) 2. of the statutes is amended to read:

6 633.15 (2) (a) 2. If, within 60 days from the effective date of suspension under
7 subd. 1., an administrator pays the annual renewal fee or provides the social security
8 number or, federal employer identification number or statement made or subscribed
9 under oath or affirmation, or both if the suspension was based upon a failure to do
10 both, the commissioner shall reinstate the administrator's license effective as of the
11 date of suspension.

12 **SECTION 3044no.** 633.15 (2) (a) 3. of the statutes is amended to read:

13 633.15 (2) (a) 3. If payment is not made or the social security number or, federal
14 employer identification number or statement made or subscribed under oath or
15 affirmation is not provided within 60 days from the effective date of suspension
16 under subd. 1., the commissioner shall revoke the administrator's license.

17 **SECTION 3044p.** 633.15 (2) (b) 1. (intro.) of the statutes is amended to read:

18 633.15 (2) (b) 1. (intro.) Except as provided in pars. (c) ~~and (d)~~ to (e), the
19 commissioner may revoke, suspend or limit the license of an administrator after a
20 hearing if the commissioner makes any of the following findings:

21 **SECTION 3044q.** 633.15 (2) (e) of the statutes is created to read:

22 633.15 (2) (e) *For providing false information in statement.* The commissioner
23 shall revoke a license issued under s. 633.14 (1) if the commissioner determines, after
24 a hearing, that the licensee provided false information in a statement provided under
25 sub. (1m) or s. 633.14 (1) (e).".

1 **1489.** Page 1406, line 3: after that line insert:

2 “**SECTION 3044L.** 632.897 (10) (a) 3. of the statutes is amended to read:

3 632.897 **(10)** (a) 3. The fact that the group member or insured does not claim
4 the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1)
5 (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under
6 the laws of another state, if a court order under s. 767.25 (4m), ~~767.51 (3m) or 767.62~~
7 ~~(4) (b)~~ or the laws of another state assigns responsibility for the child’s health care
8 expenses to the group member or insured.”.

9 **1490.** Page 1407, line 18: after that line insert:

10 “**SECTION 3049m.** 753.06 (8) (g) of the statutes is amended to read:

11 753.06 **(8)** (g) Waupaca County. The circuit has 2 branches. Commencing
12 August 1, 2000, the circuit has 3 branches.”.

13 **1491.** Page 1407, line 18: after that line insert:

14 “**SECTION 3049m.** 707.46 (3) of the statutes is created to read:

15 707.46 **(3)** RECORDING. A contract for the purchase of a time-share and any
16 other instrument that is evidence of a purchase of a time-share is valid only if it is
17 recorded.”.

18 **1492.** Page 1407, line 18: after that line insert:

19 “**SECTION 3049p.** 751.15 (2) of the statutes is amended to read:

20 751.15 **(2)** The supreme court is requested to promulgate rules that require
21 each person who has a social security number, as a condition of membership in the
22 state bar, to provide the board of bar examiners with his or her social security
23 number, that require each person who does not have a social security number, as a
24 condition of membership in the state bar, to provide the board of bar examiners with

1 a statement made or subscribed under oath or affirmation on a form prescribed by
2 the department of workforce development that the person does not have a social
3 security number, and that prohibit the disclosure of that number to any person
4 except the department of workforce development for the purpose of administering s.
5 49.22.

6 **SECTION 3049r.** 751.15 (3) of the statutes is amended to read:

7 751.15 (3) The supreme court is requested to promulgate rules that deny,
8 suspend, restrict or refuse to renew a license to practice law if the applicant or
9 licensee fails to provide the information required under rules promulgated under
10 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued
11 by the department of workforce development or a county child support agency under
12 s. 59.53 (5) and related to paternity or child support proceedings or if the department
13 of workforce development certifies that the applicant or licensee has failed to pay
14 court-ordered payments of child or family support, maintenance, birth expenses,
15 medical expenses or other expenses related to the support of a child or former spouse.
16 The supreme court is also requested to promulgate rules that invalidate a license to
17 practice law if issued in reliance upon a statement made or subscribed under oath
18 or affirmation under rules promulgated under sub. (2) that is false.”.

19 **1493.** Page 1409, line 4: after that line insert:

20 **“SECTION 3051m.** 758.19 (5) (b) (intro.) of the statutes is amended to read:

21 758.19 (5) (b) (intro.) From the appropriation under s. 20.625 (1) (d), the
22 director of state courts shall make payments to counties totaling \$3,443,950 ~~on July~~
23 ~~29, 1995, totaling \$8,294,050 on January 1, 1996, and totaling \$8,244,800~~ \$9,369,800
24 within 30 days after the effective date of this paragraph [revisor inserts date], and

1 on every July 1 and January 1 thereafter, which the director of state courts shall
2 distribute as follows:

3 **SECTION 3051p.** 758.19 (5) (b) 1. of the statutes is amended to read:

4 758.19 (5) (b) 1. For each circuit court branch in the county, ~~\$32,900~~ \$42,275.”.

5 **1494.** Page 1409, line 4: after that line insert:

6 “**SECTION 3051n.** 767.045 (1) (a) 2. of the statutes is amended to read:

7 767.045 (1) (a) 2. The Except as provided in par. (am), the legal custody or
8 physical placement of the child is contested.

9 **SECTION 3051no.** 767.045 (1) (am) of the statutes is created to read:

10 767.045 (1) (am) The court is not required to appoint a guardian ad litem under
11 par. (a) 2. if all of the following apply:

12 1. Legal custody or physical placement is contested in an action to modify legal
13 custody or physical placement under s. 767.325 or 767.327.

14 2. The modification sought would not substantially alter the amount of time
15 that a parent may spend with his or her child.

16 3. The court determines any of the following:

17 a. That the appointment of a guardian ad litem will not assist the court in the
18 determination regarding legal custody or physical placement because the facts or
19 circumstances of the case make the likely determination clear.

20 b. That a party seeks the appointment of a guardian ad litem solely for a tactical
21 purpose, or for the sole purpose of delay, and not for a purpose that is in the best
22 interest of the child.

23 **SECTION 3051p.** 767.045 (1) (e) of the statutes is created to read:

1 767.045 (1) (e) Nothing in this subsection prohibits the court from making a
2 temporary order under s. 767.23 that concerns the child before a guardian ad litem
3 is appointed or before the guardian ad litem has made a recommendation to the
4 court, if the court determines that the temporary order is in the best interest of the
5 child.

6 **SECTION 3051q.** 767.045 (4m) of the statutes is created to read:

7 767.045 (4m) STATUS HEARING. (a) Subject to par. (b), at any time after 120 days
8 after a guardian ad litem is appointed under this section, a party may request that
9 the court schedule a status hearing related to the actions taken and work performed
10 by the guardian ad litem in the matter.

11 (b) A party may, not sooner than 120 days after a status hearing under this
12 subsection is held, request that the court schedule another status hearing on the
13 actions taken and work performed by the guardian ad litem in the matter.

14 **SECTION 3051r.** 767.078 (1) (a) 1. of the statutes is amended to read:

15 767.078 (1) (a) 1. Is an action for modification of a child support order under
16 s. 767.32 or an action in which an order for child support is required under s. 767.25
17 (1), 767.51 (3) or 767.62 (4) ~~(a).~~”.

18 **1495.** Page 1409, line 12: after that line insert:

19 **“SECTION 3054m.** 767.245 (1) of the statutes is amended to read:

20 767.245 (1) Except as provided in ~~sub.~~ subs. (1m) and (2m), upon petition by
21 a grandparent, greatgrandparent, stepparent or person who has maintained a
22 relationship similar to a parent–child relationship with the child, the court may
23 grant reasonable visitation rights to that person if the parents have notice of the
24 hearing and if the court determines that visitation is in the best interest of the child.

1 **SECTION 3054p.** 767.245 (1m) of the statutes is created to read:

2 767.245 **(1m)** (a) Except as provided in par. (b), the court may not grant
3 visitation rights under sub. (1) to a person who has been convicted under s. 940.01
4 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
5 intentional homicide, of a parent of the child, and the conviction has not been
6 reversed, set aside or vacated.

7 (b) Paragraph (a) does not apply if the court determines by clear and convincing
8 evidence that the visitation would be in the best interests of the child. The court shall
9 consider the wishes of the child in making the determination.

10 **SECTION 3054r.** 767.245 (6) of the statutes is created to read:

11 767.245 **(6)** (a) If a person granted visitation rights with a child under this
12 section is convicted under s. 940.01 of the first-degree intentional homicide, or under
13 s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the
14 conviction has not been reversed, set aside or vacated, the court shall modify the
15 visitation order by denying visitation with the child upon petition, motion or order
16 to show cause by a parent or guardian of the child, or upon the court's own motion,
17 and upon notice to the person granted visitation rights.

18 (b) Paragraph (a) does not apply if the court determines by clear and convincing
19 evidence that the visitation would be in the best interests of the child. The court shall
20 consider the wishes of the child in making that determination.

21 **SECTION 3054t.** 767.247 of the statutes is created to read:

22 **767.247 Prohibiting visitation or physical placement if a parent kills**
23 **other parent. (1)** Notwithstanding ss. 767.23 (1) (am), 767.24 (1), (4) and (5),
24 767.51 (3) and 767.62 (4) (a) and except as provided in sub. (2), in an action under this
25 chapter that affects a minor child, a court or family court commissioner may not

1 grant to the child's parent visitation or physical placement rights with the child if the
2 parent has been convicted under s. 940.01 of the first-degree intentional homicide,
3 or under s. 940.05 of the 2nd-degree intentional homicide, of the child's other parent,
4 and the conviction has not been reversed, set aside or vacated.

5 (2) Subsection (1) does not apply if the court or family court commissioner
6 determines by clear and convincing evidence that the visitation or periods of physical
7 placement would be in the best interests of the child. The court or family court
8 commissioner shall consider the wishes of the child in making the determination.”.

9 **1496.** Page 1409, line 12: after that line insert:

10 “**SECTION 3054c.** 767.078 (2) of the statutes is amended to read:

11 767.078 (2) Subsection (1) does not limit the authority of a court to issue an
12 order, other than an order under sub. (1), regarding employment of a parent in an
13 action for modification of a child support order under s. 767.32 or an action in which
14 an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a).

15 **SECTION 3054cd.** 767.11 (12) (b) of the statutes is amended to read:

16 767.11 (12) (b) If after mediation under this section the parties do not reach
17 agreement on legal custody or periods of physical placement, the parties or the
18 mediator shall so notify the court. ~~The Except as provided in s. 767.045 (1) (am), the~~
19 ~~court shall promptly appoint a guardian ad litem under s. 767.045. After the~~
20 ~~appointment~~ Regardless of whether the court appoints a guardian ad litem, the court
21 shall, if appropriate, refer the matter for a legal custody or physical placement study
22 under sub. (14). If the parties come to agreement on legal custody or physical
23 placement after the matter has been referred for a study, the study shall be
24 terminated. The parties may return to mediation at any time before any trial of or

1 final hearing on legal custody or periods of physical placement. If the parties return
2 to mediation, the county shall collect any applicable fee under s. 814.615.

3 **SECTION 3054ce.** 767.115 (title) of the statutes is amended to read:

4 **767.115 (title) Educational ~~program in action~~ programs and classes in**
5 **actions affecting the family.**

6 **SECTION 3054cf.** 767.115 (4) of the statutes is created to read:

7 767.115 **(4)** (a) At any time during the pendency of a divorce or paternity action,
8 the court or family court commissioner may order the parties to attend a class that
9 is approved by the court or family court commissioner and that addresses such issues
10 as child development, family dynamics, how parental separation affects a child's
11 development and what parents can do to make raising a child in a separated
12 situation less stressful for the child.

13 (b) The court or family court commissioner may not require the parties to
14 attend a class under this subsection as a condition to the granting of the final
15 judgment or order in the divorce or paternity action, however, the court or family
16 court commissioner may refuse to hear a custody or physical placement motion of a
17 party who refuses to attend a class ordered under this subsection.

18 (c) 1. Except as provided in subd. 2., the parties shall be responsible for any cost
19 of attending the class.

20 2. If the court or family court commissioner finds that a party is indigent, any
21 costs that would be the responsibility of that party shall be paid by the county.

22 **SECTION 3054cg.** 767.23 (1) (a) of the statutes is amended to read:

23 767.23 **(1)** (a) ~~Upon~~ Subject to s. 767.477, upon request of one party, granting
24 legal custody of the minor children to the parties jointly, to one party solely or to a
25 relative or agency specified under s. 767.24 (3). ~~The, in a manner consistent with s.~~

1 767.24, except that the court or family court commissioner may order joint sole legal
2 custody without the agreement of the other party and without the findings required
3 under s. 767.24 (2) (b) 2. This order may not have a binding effect on a final custody
4 determination.

5 **SECTION 3054ch.** 767.23 (1) (am) of the statutes is amended to read:

6 767.23 (1) (am) ~~Upon~~ Subject to s. 767.477, upon the request of a party,
7 granting periods of physical placement to a party in a manner consistent with s.
8 767.24. The court or family court commissioner shall make a determination under
9 this paragraph within 30 days after the request for a temporary order regarding
10 periods of physical placement is filed.

11 **SECTION 3054ci.** 767.23 (1) (c) of the statutes is amended to read:

12 767.23 (1) (c) ~~Requiring~~ Subject to s. 767.477, requiring either party or both
13 parties to make payments for the support of minor children, which payment amounts
14 may be expressed as a percentage of parental income or as a fixed sum, or as a
15 combination of both in the alternative by requiring payment of the greater or lesser
16 of either a percentage of parental income or a fixed sum.

17 **SECTION 3054cj.** 767.23 (1) (k) of the statutes is amended to read:

18 767.23 (1) (k) ~~Requiring~~ Subject to s. 767.477, requiring either party or both
19 parties to maintain minor children as beneficiaries on a health insurance policy or
20 plan.

21 **SECTION 3054ck.** 767.23 (1n) of the statutes is amended to read:

22 767.23 (1n) Before making any temporary order under sub. (1), the court or
23 family court commissioner shall consider those factors ~~which~~ that the court is
24 required by this chapter to consider before entering a final judgment on the same
25 subject matter. In making a determination under sub. (1) (a) or (am), the court or

1 family court commissioner shall consider the factors under s. 767.24 (5). If the court
2 or family court commissioner makes a temporary child support order that deviates
3 from the amount of support that would be required by using the percentage standard
4 established by the department under s. 49.22 (9), the court or family court
5 commissioner shall comply with the requirements of s. 767.25 (1n). A temporary
6 order under sub. (1) may be based upon the written stipulation of the parties, subject
7 to the approval of the court or the family court commissioner. Temporary orders
8 made by the family court commissioner may be reviewed by the court as provided in
9 s. 767.13 (6).

10 **SECTION 3054cL.** 767.24 (1) of the statutes is amended to read:

11 767.24 (1) GENERAL PROVISIONS. In rendering a judgment of annulment, divorce
12 ~~or~~, legal separation or paternity, or in rendering a judgment in an action under s.
13 767.02 (1) (e) or 767.62 (3), the court shall make such provisions as it deems just and
14 reasonable concerning the legal custody and physical placement of any minor child
15 of the parties, as provided in this section.

16 **SECTION 3054cm.** 767.24 (1m) of the statutes is created to read:

17 767.24 (1m) PARENTING PLAN. In an action for annulment, divorce or legal
18 separation, an action to determine paternity or an action under s. 767.02 (1) (e) or
19 767.62 (3) in which legal custody or physical placement is contested, a party seeking
20 sole or joint legal custody or periods of physical placement shall file a parenting plan
21 with the court before any pretrial conference. Except for cause shown, a party
22 required to file a parenting plan under this subsection who does not timely file a
23 parenting plan waives the right to object to the other party's parenting plan. A
24 parenting plan shall provide information about the following questions:

25 (a) What legal custody or physical placement the parent is seeking.

1 (b) Where the parent lives currently and where the parent intends to live
2 during the next 2 years. If there is evidence that the other parent engaged in
3 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
4 as defined in s. 813.12 (1) (a), with respect to the parent providing the parenting plan,
5 the parent providing the parenting plan is not required to disclose the specific
6 address but only a general description of where he or she currently lives and intends
7 to live during the next 2 years.

8 (c) Where the parent works and the hours of employment. If there is evidence
9 that the other parent engaged in interspousal battery, as described under s. 940.19
10 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), with respect to the
11 parent providing the parenting plan, the parent providing the parenting plan is not
12 required to disclose the specific address but only a general description of where he
13 or she works.

14 (d) Who will provide any necessary child care when the parent cannot and who
15 will pay for the child care.

16 (e) Where the child will go to school.

17 (f) What doctor or health care facility will provide medical care for the child.

18 (g) How the child's medical expenses will be paid.

19 (h) What the child's religious commitment will be, if any.

20 (i) Who will make decisions about the child's education, medical care, choice of
21 child care providers and extracurricular activities.

22 (j) How the holidays will be divided.

23 (k) What the child's summer schedule will be.

24 (L) Whether and how the child will be able to contact the other parent when
25 the child has physical placement with the parent providing the parenting plan.

1 (m) How the parent proposes to resolve disagreements related to matters over
2 which the court orders joint decision making.

3 (n) What child support, family support, maintenance or other income transfer
4 there will be.

5 (o) If there is evidence that either party engaged in interspousal battery, as
6 described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12
7 (1) (a), with respect to the other party, how the child will be transferred between the
8 parties for the exercise of physical placement to ensure the safety of the child and the
9 parties.

10 **SECTION 3054cn.** 767.24 (2) (a) of the statutes is amended to read:

11 767.24 (2) (a) Subject to ~~par. (b)~~ pars. (am), (b) and (c), based on the best interest
12 of the child and after considering the factors under sub. (5), the court may give joint
13 legal custody or sole legal custody of a minor child.

14 **SECTION 3054co.** 767.24 (2) (am) of the statutes is created to read:

15 767.24 (2) (am) The court shall presume that joint legal custody is in the best
16 interest of the child.

17 **SECTION 3054cp.** 767.24 (2) (b) of the statutes is amended to read:

18 767.24 (2) (b) The court may give joint sole legal custody only if it finds that
19 doing so is in the child's best interest and that either of the following applies:

20 1. Both parties agree to joint sole legal custody with the same party.
21 2. The parties do not agree to joint sole legal custody with the same party, but
22 at least one party requests joint sole legal custody and the court specifically finds all
23 any of the following:

24 a. ~~Both parties are~~ One party is not capable of performing parental duties and
25 responsibilities ~~and or does not~~ wish to have an active role in raising the child.

1 b. No One or more conditions exist at that time which that would substantially
2 interfere with the exercise of joint legal custody.

3 c. The parties will not be able to cooperate in the future decision making
4 required under an award of joint legal custody. In making this finding the court shall
5 consider, along with any other pertinent items, any reasons offered by a party
6 objecting to joint legal custody. Evidence that either party engaged in abuse, as
7 defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of
8 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
9 as defined in s. 813.12 (1) (a), creates a rebuttable presumption that the parties will
10 not be able to cooperate in the future decision making required. ~~This presumption~~
11 ~~may be rebutted by clear and convincing evidence that the abuse will not interfere~~
12 ~~with the parties' ability to cooperate in the future decision making required.~~

13 **SECTION 3054cq.** 767.24 (2) (c) of the statutes is created to read:

14 767.24 (2) (c) The court may not give sole legal custody to a parent who refuses
15 to cooperate with the other parent if the court finds that the refusal to cooperate is
16 unreasonable.

17 **SECTION 3054cr.** 767.24 (4) (a) of the statutes is renumbered 767.24 (4) (a) 1.
18 and amended to read:

19 767.24 (4) (a) 1. Except as provided under par. (b), if the court orders sole or
20 joint legal custody under sub. (2), the court shall allocate periods of physical
21 placement between the parties in accordance with this subsection.

22 2. In determining the allocation of periods of physical placement, the court
23 shall consider each case on the basis of the factors in sub. (5). The court shall set a
24 placement schedule that allows the child to have regularly occurring, meaningful
25 periods of physical placement with each parent and that maximizes the amount of

1 time the child may spend with each parent, taking into account geographic
2 separation and accommodations for different households.

3 **SECTION 3054cs.** 767.24 (4) (a) 3. of the statutes is created to read:

4 767.24 (4) (a) 3. Notwithstanding subd. 2. and sub. (5), the court shall presume
5 that any proposal submitted to the court with respect to periods of physical
6 placement that has been voluntarily agreed to by the parties is in the child's best
7 interest.

8 **SECTION 3054ct.** 767.24 (4) (c) of the statutes is amended to read:

9 767.24 (4) (c) No court may deny periods of physical placement for failure to
10 meet, or grant periods of physical placement for meeting, any financial obligation to
11 the child or, if the parties were married, to the former spouse.

12 **SECTION 3054cu.** 767.24 (5) (intro.) of the statutes is amended to read:

13 767.24 (5) FACTORS IN CUSTODY AND PHYSICAL PLACEMENT DETERMINATIONS.
14 (intro.) In determining legal custody and periods of physical placement, the court
15 shall consider all facts relevant to the best interest of the child. The court may not
16 prefer one parent or potential custodian over the other on the basis of the sex or race
17 of the parent or potential custodian. ~~The court shall consider reports of appropriate~~
18 ~~professionals if admitted into evidence when legal custody or physical placement is~~
19 ~~contested.~~ The court shall consider the following factors in making its
20 determination:

21 **SECTION 3054cv.** 767.24 (5) (a) of the statutes is amended to read:

22 767.24 (5) (a) The wishes of the child's parent or parents, as shown by any
23 stipulation between the parties, any proposed parenting plan or any legal custody
24 or physical placement proposal submitted to the court at trial.

25 **SECTION 3054cw.** 767.24 (5) (bm) of the statutes is created to read:

1 767.24 (5) (bm) The right of the child to spend the same amount of time or
2 substantial periods of time with each parent.

3 **SECTION 3054cx.** 767.24 (5) (cm) of the statutes is created to read:

4 767.24 (5) (cm) The amount and quality of time that each parent has spent with
5 the child in the past, any necessary changes to the parents' custodial roles and any
6 reasonable life–style changes that a parent proposes to make to be able to spend time
7 with the child in the future.

8 **SECTION 3054cy.** 767.24 (5) (dm) of the statutes is created to read:

9 767.24 (5) (dm) The age of the child and the child's developmental and
10 educational needs at different ages.

11 **SECTION 3054cz.** 767.24 (5) (em) of the statutes is created to read:

12 767.24 (5) (em) The need for regularly occurring and meaningful periods of
13 physical placement to provide predictability and stability for the child.

14 **SECTION 3054d.** 767.24 (5) (fm) of the statutes is created to read:

15 767.24 (5) (fm) The cooperation and communication between the parties and
16 whether either party unreasonably refuses to cooperate or communicate with the
17 other party.

18 **SECTION 3054dc.** 767.24 (5) (g) of the statutes is amended to read:

19 767.24 (5) (g) Whether each party can support the other party's relationship
20 with the child, including encouraging and facilitating frequent and continuing
21 contact with the child, or whether one party is likely to unreasonably interfere with
22 the child's continuing relationship with the other party.

23 **SECTION 3054dd.** 767.24 (5) (jm) of the statutes is created to read:

24 767.24 (5) (jm) The reports of appropriate professionals if admitted into
25 evidence.

1 **SECTION 3054de.** 767.242 of the statutes is created to read:

2 **767.242 Enforcement of physical placement orders. (1) DEFINITIONS.** In
3 this section:

4 (a) “Petitioner” means the parent filing a petition under this section, regardless
5 of whether that parent was the petitioner in the action in which periods of physical
6 placement were awarded under s. 767.24.

7 (b) “Respondent” means the parent upon whom a petition under this section is
8 served, regardless of whether that parent was the respondent in the action in which
9 periods of physical placement were awarded under s. 767.24.

10 **(2) WHO MAY FILE.** A parent who has been awarded periods of physical
11 placement under s. 767.24 may file a petition under sub. (3) if any of the following
12 applies:

13 (a) The parent has had one or more periods of physical placement denied by the
14 other parent.

15 (b) The parent has had one or more periods of physical placement substantially
16 interfered with by the other parent.

17 (c) The parent has incurred a financial loss or expenses as a result of the other
18 parent’s intentional failure to exercise one or more periods of physical placement
19 under an order allocating specific times for the exercise of periods of physical
20 placement.

21 **(3) PETITION.** (a) The petition shall allege facts sufficient to show the following:

22 1. The name of the petitioner and that the petitioner has been awarded periods
23 of physical placement.

24 2. The name of the respondent.

25 3. That the criteria in sub. (2) apply.

1 (b) The petition shall request the imposition of a remedy or any combination
2 of remedies under sub. (5) (b) and (c). This paragraph does not prohibit a judge or
3 family court commissioner from imposing a remedy under sub. (5) (b) or (c) if the
4 remedy was not requested in the petition.

5 (c) A judge or family court commissioner shall accept any legible petition for
6 an order under this section.

7 (d) The petition shall be filed under the principal action under which the
8 periods of physical placement were awarded.

9 (e) A petition under this section is a motion for remedial sanction for purposes
10 of s. 785.03 (1) (a).

11 **(4) SERVICE ON RESPONDENT; RESPONSE.** Upon the filing of a petition under sub.
12 (3), the petitioner shall serve a copy of the petition upon the respondent by personal
13 service in the same manner as a summons is served under s. 801.11. The respondent
14 may respond to the petition either in writing before or at the hearing under sub. (5)
15 (a) or orally at that hearing.

16 **(5) HEARING; REMEDIES.** (a) A judge or family court commissioner shall hold a
17 hearing on the petition no later than 30 days after the petition has been served,
18 unless the time is extended by mutual agreement of the parties or upon the motion
19 of a guardian ad litem and the approval of the judge or family court commissioner.
20 The judge or family court commissioner may, on his or her own motion or the motion
21 of any party, order that a guardian ad litem be appointed for the child prior to the
22 hearing.

23 (b) If, at the conclusion of the hearing, the judge or family court commissioner
24 finds that the respondent has intentionally and unreasonably denied the petitioner
25 one or more periods of physical placement or that the respondent has intentionally

1 and unreasonably interfered with one or more of the petitioner's periods of physical
2 placement, the court or family court commissioner:

3 1. Shall do all of the following:

4 a. Issue an order granting additional periods of physical placement to replace
5 those denied or interfered with.

6 b. Award the petitioner a reasonable amount for the cost of maintaining an
7 action under this section and for attorney fees.

8 2. May do one or more of the following:

9 a. If the underlying order or judgment relating to periods of physical placement
10 does not provide for specific times for the exercise of periods of physical placement,
11 issue an order specifying the times for the exercise of periods of physical placement.

12 b. Find the respondent in contempt of court under ch. 785.

13 c. Grant an injunction ordering the respondent to strictly comply with the
14 judgment or order relating to the award of physical placement. In determining
15 whether to issue an injunction, the judge or family court commissioner shall consider
16 whether alternative remedies requested by the petitioner would be as effective in
17 obtaining compliance with the order or judgment relating to physical placement.

18 (c) If, at the conclusion of the hearing, the judge or family court commissioner
19 finds that the petitioner has incurred a financial loss or expenses as a result of the
20 respondent's failure, intentionally and unreasonably and without adequate notice to
21 the petitioner, to exercise one or more periods of physical placement under an order
22 allocating specific times for the exercise of periods of physical placement, the judge
23 or family court commissioner may issue an order requiring the respondent to pay to
24 the petitioner a sum of money sufficient to compensate the petitioner for the financial
25 loss or expenses.

1 (d) Except as provided in par. (b) 1. a. and 2. a., the judge or family court
2 commissioner may not modify an order of legal custody or physical placement in an
3 action under this section.

4 (e) An injunction issued under par. (b) 2. c. is effective according to its terms,
5 for the period of time that the petitioner requests, but not more than 2 years.

6 **(6) ENFORCEMENT ASSISTANCE.** (a) If an injunction is issued under sub. (5) (b)
7 2. c., upon request by the petitioner the judge or family court commissioner shall
8 order the sheriff to assist the petitioner in executing or serving the injunction.

9 (b) Within 24 hours after a request by the petitioner, the clerk of the circuit
10 court shall send a copy of an injunction issued under sub. (5) (b) 2. c. to the sheriff
11 or to any other local law enforcement agency that is the central repository for orders
12 and that has jurisdiction over the respondent's residence. If the respondent does not
13 reside in this state, the clerk shall send a copy of the injunction to the sheriff of the
14 county in which the circuit court is located.

15 (c) The sheriff or other appropriate local law enforcement agency under par. (b)
16 shall make available to other law enforcement agencies, through a verification
17 system, information on the existence and status of any injunction issued under sub.
18 (5) (b) 2. c. The information need not be maintained after the injunction is no longer
19 in effect.

20 **(7) ARREST.** A law enforcement officer may arrest and take a person into custody
21 if all of the following apply:

22 (a) A petitioner under this section presents the law enforcement officer with a
23 copy of an injunction issued under sub. (5) (b) 2. c. or the law enforcement officer
24 determines that such an injunction exists through communication with appropriate
25 authorities.

1 (b) The law enforcement officer has probable cause to believe that the person
2 has violated the injunction issued under sub. (5) (b) 2. c.

3 **(8) PENALTY.** Whoever intentionally violates an injunction issued under sub.
4 (5) (b) 2. c. may be fined not more than \$10,000 or imprisoned for not more than 2
5 years or both.

6 **SECTION 3054df.** 767.25 (1) (intro.) of the statutes is amended to read:

7 767.25 **(1)** (intro.) Whenever the court approves a stipulation for child support
8 under s. 767.10, enters a judgment of annulment, divorce or legal separation, or
9 enters an order or a judgment in a paternity action or in an action under s. 767.02
10 (1) (f) or (j) or 767.08 or 767.62 (3), the court shall do all of the following:

11 **SECTION 3054dg.** 767.25 (1m) (b) of the statutes is amended to read:

12 767.25 **(1m)** (b) The financial resources of both parents ~~as determined under~~
13 ~~s. 767.255.~~

14 **SECTION 3054dh.** 767.25 (1m) (c) of the statutes is amended to read:

15 767.25 **(1m)** (c) The ~~If the parties were married, the~~ standard of living the child
16 would have enjoyed had the marriage not ended in annulment, divorce or legal
17 separation.

18 **SECTION 3054di.** 767.25 (4m) (b) of the statutes is amended to read:

19 767.25 **(4m)** (b) In addition to ordering child support for a child under sub. (1),
20 the court shall specifically assign responsibility for and direct the manner of
21 payment of the child's health care expenses. In assigning responsibility for a child's
22 health care expenses, the court shall consider whether a child is covered under a
23 parent's health insurance policy or plan at the time the court approves a stipulation
24 for child support under s. 767.10, enters a judgment of annulment, divorce or legal
25 separation, or enters an order or a judgment in a paternity action or in an action

1 under s. 767.02 (1) (f) or (j) ~~or~~, 767.08 or 767.62 (3), the availability of health
2 insurance to each parent through an employer or other organization, the extent of
3 coverage available to a child and the costs to the parent for the coverage of the child.
4 A parent may be required to initiate or continue health care insurance coverage for
5 a child under this subsection. If a parent is required to do so, he or she shall provide
6 copies of necessary program or policy identification to the custodial parent and is
7 liable for any health care costs for which he or she receives direct payment from an
8 insurer. This subsection shall not be construed to limit the authority of the court to
9 enter or modify support orders containing provisions for payment of medical
10 expenses, medical costs, or insurance premiums which are in addition to and not
11 inconsistent with this subsection.

12 **SECTION 3054dj.** 767.25 (5) of the statutes is amended to read:

13 767.25 (5) ~~Liability~~ Subject to ss. 767.51 (4) and 767.62 (4m), liability for past
14 support shall be limited to the period after the birth of the child.

15 **SECTION 3054dk.** 767.25 (6) (intro.) of the statutes, as affected by 1997
16 Wisconsin Act 191, section 398, is amended to read:

17 767.25 (6) (intro.) A party ordered to pay child support under this section shall
18 pay simple interest at the rate of 1.5% 1% per month on any amount in arrears that
19 is equal to or greater than the amount of child support due in one month. If the party
20 no longer has a current obligation to pay child support, interest at the rate of 1.5%
21 1% per month shall accrue on the total amount of child support in arrears, if any.
22 Interest under this subsection is in lieu of interest computed under s. 807.01 (4),
23 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29.
24 Except as provided in s. 767.29 (1m), the department or its designee, whichever is
25 appropriate, shall apply all payments received for child support as follows:

1 **SECTION 3054dL.** 767.253 of the statutes is amended to read:

2 **767.253 Seek-work orders.** In an action for modification of a child support
3 order under s. 767.32 or an action in which an order for child support is required
4 under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~, the court may order either or both
5 parents of the child to seek employment or participate in an employment or training
6 program.

7 **SECTION 3054dm.** 767.254 (2) (intro.) of the statutes is amended to read:

8 767.254 **(2)** (intro.) In an action for revision of a judgment or order providing
9 for child support under s. 767.32 or an action in which an order for child support is
10 required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~, the court shall order an
11 unemployed teenage parent to do one or more of the following:

12 **SECTION 3054dn.** 767.261 (intro.) of the statutes, as affected by 1997 Wisconsin
13 Act 191, section 403, is amended to read:

14 **767.261 Family support.** (intro.) The court may make a financial order
15 designated “family support” as a substitute for child support orders under s. 767.25
16 and maintenance payment orders under s. 767.26. A party ordered to pay family
17 support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month
18 on any amount in arrears that is equal to or greater than the amount of child support
19 due in one month. If the party no longer has a current obligation to pay child support,
20 interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child
21 support in arrears, if any. Interest under this section is in lieu of interest computed
22 under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its
23 designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or
24 its designee, whichever is appropriate, shall apply all payments received for family
25 support as follows:”.

1 **1497.** Page 1410, line 5: after that line insert:

2 “**SECTION 3055c.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Act
3 191, section 411, is amended to read:

4 767.265 (1) Each order for child support under this chapter, for maintenance
5 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
6 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02
7 (1) (f), for maintenance payments under s. 767.02 (1) (g) or for the annual receiving
8 and disbursing fee under s. 767.29 (1) (d), each order for a revision in a judgment or
9 order with respect to child support, maintenance or family support payments under
10 s. 767.32, each stipulation approved by the court or the family court commissioner
11 for child support under this chapter and each order for child or spousal support
12 entered under s. 948.22 (7) constitutes an assignment of all commissions, earnings,
13 salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that
14 are payable in instalments and other money due or to be due in the future to the
15 department or its designee. The assignment shall be for an amount sufficient to
16 ensure payment under the order or stipulation and to pay any arrearages due at a
17 periodic rate not to exceed 50% of the amount of support due under the order or
18 stipulation so long as the addition of the amount toward arrearages does not leave
19 the party at an income below the poverty line established under 42 USC 9902 (2).”.

20 **1498.** Page 1413, line 24: after that line insert:

21 “**SECTION 3061c.** 767.265 (3h) of the statutes, as affected by 1997 Wisconsin Act
22 191, section 415, is amended to read:

23 767.265 (3h) A person who receives notice of assignment under this section or
24 s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ or similar laws

1 of another state shall withhold the amount specified in the notice from any money
2 that person pays to the payer later than one week after receipt of notice of
3 assignment. Within 5 days after the day the person pays money to the payer, the
4 person shall send the amount withheld to the department or its designee, whichever
5 is appropriate, or, in the case of an amount ordered withheld for health care
6 expenses, to the appropriate health care insurer, provider or plan. With each
7 payment sent to the department or its designee, the person from whom the payer
8 receives money shall report to the department or its designee the payer's gross
9 income or other gross amount from which the payment was withheld. Except as
10 provided in sub. (3m), for each payment sent to the department or its designee, the
11 person from whom the payer receives money shall receive an amount equal to the
12 person's necessary disbursements, not to exceed \$3, which shall be deducted from the
13 money to be paid to the payer. Section 241.09 does not apply to assignments under
14 this section.

15 **SECTION 3061cd.** 767.265 (4) of the statutes is amended to read:

16 767.265 (4) A withholding assignment or order under this section or s. 767.23
17 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ has priority over any other
18 assignment, garnishment or similar legal process under state law.

19 **SECTION 3061ce.** 767.265 (6) (a) of the statutes, as affected by 1997 Wisconsin
20 Act 191, section 420, is amended to read:

21 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of
22 assignment the person from whom the payer receives money fails to withhold the
23 money or send the money to the department or its designee or the appropriate health
24 care insurer, provider or plan as provided in this section or s. 767.23 (1) (L), or 767.25
25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~, the person may be proceeded against

1 under the principal action under ch. 785 for contempt of court or may be proceeded
2 against under ch. 778 and be required to forfeit not less than \$50 nor more than an
3 amount, if the amount exceeds \$50, that is equal to 1% of the amount not withheld
4 or sent.

5 **SECTION 3061cf.** 767.265 (6) (b) of the statutes, as affected by 1997 Wisconsin
6 Act 191, section 422, is amended to read:

7 767.265 **(6)** (b) If an employer who receives an assignment under this section
8 or s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ fails to notify
9 the department or its designee, whichever is appropriate, within 10 days after an
10 employe is terminated or otherwise temporarily or permanently leaves employment,
11 the employer may be proceeded against under the principal action under ch. 785 for
12 contempt of court.

13 **SECTION 3061cg.** 767.265 (6) (c) of the statutes is amended to read:

14 767.265 **(6)** (c) No employer may use an assignment under this section or s.
15 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ as a basis for the
16 denial of employment to a person, the discharge of an employe or any disciplinary
17 action against an employe. An employer who denies employment or discharges or
18 disciplines an employe in violation of this paragraph may be fined not more than
19 \$500 and may be required to make full restitution to the aggrieved person, including
20 reinstatement and back pay. Except as provided in this paragraph, restitution shall
21 be in accordance with s. 973.20. An aggrieved person may apply to the district
22 attorney or to the department for enforcement of this paragraph.

23 **SECTION 3061ch.** 767.267 (1) of the statutes, as affected by 1997 Wisconsin Act
24 27, is amended to read:

1 767.267 (1) If the court or the family court commissioner determines that
2 income withholding under s. 767.265 is inapplicable, ineffective or insufficient to
3 ensure payment under an order or stipulation specified in s. 767.265 (1), or that
4 income withholding under s. 767.25 (4m) (c) ~~or 767.51 (3m) (e)~~ is inapplicable,
5 ineffective or insufficient to ensure payment of a child's health care expenses,
6 including payment of health insurance premiums, ordered under s. 767.25 (4m) or
7 767.51 (3m), the court or family court commissioner may require the payer to identify
8 or establish a deposit account, owned in whole or in part by the payer, that allows for
9 periodic transfers of funds and to file with the financial institution at which the
10 account is located an authorization for transfer from the account to the department
11 or its designee, whichever is appropriate. The authorization shall be provided on a
12 standard form approved by the court and shall specify the frequency and the amount
13 of transfer, sufficient to meet the payer's obligation under the order or stipulation,
14 as required by the court or family court commissioner. The authorization shall
15 include the payer's consent for the financial institution or an officer, employee or agent
16 of the financial institution to disclose information to the court, family court
17 commissioner, county child support agency under s. 59.53 (5), department or
18 department's designee regarding the account for which the payer has executed the
19 authorization for transfer.”.

20 **1499.** Page 1415, line 19: after that line insert:

21 **“SECTION 3064m.** 767.325 (4m) of the statutes is created to read:

22 767.325 (4m) DENIAL OF PHYSICAL PLACEMENT FOR KILLING OTHER PARENT. (a)
23 Notwithstanding subs. (1) to (4), upon petition, motion or order to show cause by a
24 party or on its own motion, a court shall modify a physical placement order by

1 denying a parent physical placement with a child if the parent has been convicted
2 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
3 2nd-degree intentional homicide, of the child's other parent, and the conviction has
4 not been reversed, set aside or vacated.

5 (b) Paragraph (a) does not apply if the court determines by clear and convincing
6 evidence that physical placement with the parent would be in the best interests of
7 the child. The court shall consider the wishes of the child in making the
8 determination.”.

9 **1500.** Page 1415, line 19: after that line insert:

10 “**SECTION 3065c.** 767.29 (1m) (intro.) of the statutes, as affected by 1997
11 Wisconsin Act 191, section 427, is amended to read:

12 767.29 (**1m**) (intro.) Notwithstanding ss. 767.25 (6), and 767.261, ~~767.51 (5p)~~
13 ~~and 767.62 (4) (g)~~, if the department or its designee receives support or maintenance
14 money that exceeds the amount due in the month in which it is received and that the
15 department or its designee determines is for support or maintenance due in a
16 succeeding month, the department or its designee may hold the amount of
17 overpayment that does not exceed the amount due in the next month for
18 disbursement in the next month if any of the following applies:

19 **SECTION 3065cd.** 767.295 (2) (a) (intro.) of the statutes is amended to read:

20 767.295 (**2**) (a) (intro.) In an action for modification of a child support order
21 under s. 767.32, an action in which an order for child support is required under s.
22 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~ or a contempt of court proceeding to enforce a
23 child support or family support order in a county that contracts under s. 49.36 (2),
24 the court may order a parent who is not a custodial parent to register for a work

1 experience and job training program under s. 49.36 if all of the following conditions
2 are met:

3 **SECTION 3065ce.** 767.295 (2) (c) of the statutes is amended to read:

4 767.295 (2) (c) If the court enters an order under par. (a), it shall order the
5 parent to pay child support equal to the amount determined by applying the
6 percentage standard established under s. 49.22 (9) to the income a person would earn
7 by working 40 hours per week for the federal minimum hourly wage under 29 USC
8 206 (a) (1) or equal to the amount of child support that the parent was ordered to pay
9 in the most recent determination of support under this chapter. The child support
10 obligation ordered under this paragraph continues until the parent makes timely
11 payment in full for 3 consecutive months or until the person participates in the
12 program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide
13 in its order that the parent must make child support payments calculated under s.
14 767.25 (1j) or (1m), ~~767.51 (4m) or (5) or 767.62 (4) (d) 1. or (e)~~ after the obligation to
15 make payments ordered under this paragraph ceases.

16 **SECTION 3065cf.** 767.303 (1) of the statutes is amended to read:

17 767.303 (1) If a person fails to pay a payment ordered for support under s.
18 767.077, support under s. 767.08, child support or family support under s. 767.23,
19 child support under s. 767.25, family support under s. 767.261, revised child or
20 family support under s. 767.32, child support under s. 767.458 (3), child support
21 under s. 767.458 (3), child support under s. 767.51, child support under s. 767.62 (4)
22 ~~(a)~~, child support under ch. 769 or child support under s. 948.22 (7), the payment is
23 90 or more days past due and the court finds that the person has the ability to pay
24 the amount ordered, the court may suspend the person's operating privilege, as
25 defined in s. 340.01 (40), until the person pays all arrearages in full or makes

1 payment arrangements that are satisfactory to the court, except that the suspension
2 period may not exceed 5 years. If otherwise eligible, the person is eligible for an
3 occupational license under s. 343.10 at any time.

4 **SECTION 3065cg.** 767.303 (1) of the statutes, as affected by 1997 Wisconsin Act
5 84, is amended to read:

6 767.303 (1) If a person fails to pay a payment ordered for support under s.
7 767.077, support under s. 767.08, child support or family support under s. 767.23,
8 child support under s. 767.25, family support under s. 767.261, revised child or
9 family support under s. 767.32, child support under s. 767.458 (3), child support
10 under s. 767.477, child support under s. 767.51, child support under s. 767.62 (4) (a),
11 child support under ch. 769 or child support under s. 948.22 (7), the payment is 90
12 or more days past due and the court finds that the person has the ability to pay the
13 amount ordered, the court may suspend the person's operating privilege, as defined
14 in s. 340.01 (40), until the person pays all arrearages in full or makes payment
15 arrangements that are satisfactory to the court, except that the suspension period
16 may not exceed 2 years. If otherwise eligible, the person is eligible for an
17 occupational license under s. 343.10 at any time.

18 **SECTION 3065ch.** 767.32 (1) (b) 4. of the statutes is amended to read:

19 767.32 (1) (b) 4. A difference between the amount of child support ordered by
20 the court to be paid by the payer and the amount that the payer would have been
21 required to pay based on the percentage standard established by the department
22 under s. 49.22 (9) if the court did not use the percentage standard in determining the
23 child support payments and did not provide the information required under s. 46.10
24 (14) (d), 301.12 (14) (d), or 767.25 (1n), ~~767.51 (5d) or 767.62 (4) (f)~~, whichever is
25 appropriate.

1 **SECTION 3065ci.** 767.32 (2m) of the statutes is amended to read:

2 767.32 **(2m)** Upon request by a party, the court may modify the amount of
3 revised child support payments determined under sub. (2) if, after considering the
4 factors listed in s. 767.25 (1m), ~~767.51 (5) or 767.62 (4) (e)~~, as appropriate, the court
5 finds, by the greater weight of the credible evidence, that the use of the percentage
6 standard is unfair to the child or to any of the parties.

7 **SECTION 3065cj.** 767.325 (2m) of the statutes is created to read:

8 767.325 **(2m)** MODIFICATION OF PERIODS OF PHYSICAL PLACEMENT FOR FAILURE TO
9 EXERCISE PHYSICAL PLACEMENT. Notwithstanding subs. (1) and (2), upon petition,
10 motion or order to show cause by a party, a court may modify an order of physical
11 placement at any time with respect to periods of physical placement if it finds that
12 a parent has repeatedly and unreasonably failed to exercise periods of physical
13 placement awarded under an order of physical placement that allocates specific
14 times for the exercise of periods of physical placement.

15 **SECTION 3065ck.** 767.325 (5m) of the statutes is created to read:

16 767.325 **(5m)** FACTORS TO CONSIDER. In all actions to modify legal custody or
17 physical placement orders, the court shall consider the factors under s. 767.24 (5) and
18 shall make its determination in a manner consistent with s. 767.24.

19 **SECTION 3065cL.** 767.325 (6m) of the statutes is created to read:

20 767.325 **(6m)** PARENTING PLAN. In any action to modify a legal custody or
21 physical placement order under sub. (1), the court may require the party seeking the
22 modification to file with the court a parenting plan under s. 767.24 (1m) before any
23 hearing is held.

24 **SECTION 3065cm.** 767.327 (4) of the statutes is amended to read:

1 767.327 **(4)** GUARDIAN AD LITEM; PROMPT HEARING. After a petition, motion or
2 order to show cause is filed under sub. (3), the court shall appoint a guardian ad litem,
3 unless s. 767.045 (1) (am) applies, and shall hold a hearing as soon as possible.

4 **SECTION 3065cn.** 767.327 (5m) of the statutes is created to read:

5 767.327 **(5m)** DISCRETIONARY FACTORS TO CONSIDER. In making a determination
6 under sub. (3), the court may consider the child's adjustment to the home, school,
7 religion and community.

8 **SECTION 3065co.** 767.45 (7) of the statutes is amended to read:

9 767.45 **(7)** The clerk of court shall provide without charge, to each person
10 bringing an action under this section, except to the state under sub. (1) (g) or (6m),
11 a document setting forth the percentage standard established by the department
12 under s. 49.22 (9) and listing the factors which a court may consider under s. 767.51
13 ~~(5)~~ 767.25 (1m).

14 **SECTION 3065cp.** 767.455 (6) of the statutes is amended to read:

15 767.455 **(6)** DOCUMENT. The summons served on the respondent shall be
16 accompanied by a document, provided without charge by the clerk of court, setting
17 forth the percentage standard established by the department under s. 49.22 (9) and
18 listing the factors which a court may consider under s. ~~767.51 (5)~~ 767.25 (1m).

19 **SECTION 3065cpm.** 767.475 (2m) of the statutes is created to read:

20 767.475 **(2m)** If there is no presumption of paternity under s. 891.41 (1), the
21 mother shall have sole legal custody of the child until the court orders otherwise.

22 **SECTION 3065cq.** 767.477 (1) of the statutes is amended to read:

23 767.477 **(1)** At any time during the pendency of an action to establish the
24 paternity of a child, if genetic tests show that the alleged father is not excluded and
25 that the statistical probability of the alleged father's parentage is 99.0% or higher,

1 on the motion of a party, the court shall make an appropriate temporary order orders
2 for the payment of child support and ~~may make a temporary order,~~ assigning
3 responsibility for and directing the manner of payment of the child's health care
4 expenses and for the custody and physical placement of the child.

5 **SECTION 3065cr.** 767.477 (2) of the statutes is amended to read:

6 767.477 (2) Before making any temporary order under sub. (1), the court shall
7 consider those factors that the court is required ~~under s. 767.51~~ to consider when
8 granting a final judgment on the same subject matter. If the court makes a
9 temporary child support order that deviates from the amount of support that would
10 be required by using the percentage standard established by the department under
11 s. 49.22 (9), the court shall comply with the requirements of s. ~~767.51 (5d)~~ 767.25 (1n).

12 **SECTION 3065cs.** 767.51 (3) of the statutes is repealed and recreated to read:

13 767.51 (3) A judgment or order determining paternity shall contain all of the
14 following provisions:

15 (a) An adjudication of the paternity of the child.

16 (b) Orders for the legal custody of and periods of physical placement with the
17 child, determined in accordance with s. 767.24.

18 (c) An order requiring either or both of the parents to contribute to the support
19 of any child of the parties who is less than 18 years old, or any child of the parties who
20 is less than 19 years old if the child is pursuing an accredited course of instruction
21 leading to the acquisition of a high school diploma or its equivalent, determined in
22 accordance with s. 767.25.

23 (d) A determination as to which parent, if eligible, shall have the right to claim
24 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or
25 as an exemption for state tax purposes under s. 71.07 (8) (b).

1 (e) An order requiring the father to pay or contribute to the reasonable expenses
2 of the mother's pregnancy and the child's birth, based on the father's ability to pay
3 or contribute to those expenses.

4 (f) An order requiring either or both parties to pay or contribute to the costs of
5 the guardian ad litem fees, genetic tests as provided in s. 767.48 (5) and other costs.

6 (g) An order requiring either party to pay or contribute to the attorney fees of
7 the other party.

8 **SECTION 3065ct.** 767.51 (3m) of the statutes, as affected by 1997 Wisconsin Act
9 27, is repealed.

10 **SECTION 3065cu.** 767.51 (3r) of the statutes is repealed.

11 **SECTION 3065cv.** 767.51 (4) of the statutes is repealed and recreated to read:

12 767.51 (4) (a) Subject to par. (b), liability for past support of the child shall be
13 limited to support for the period after the day on which the petition in the action
14 under s. 767.45 is filed, unless a party shows, to the satisfaction of the court, all of
15 the following:

16 1. That he or she was induced to delay commencing the action by any of the
17 following:

18 a. Duress or threats.

19 b. Actions, promises or representations by the other party upon which the party
20 relied.

21 c. Actions taken by the other party to evade paternity proceedings.

22 2. That, after the inducement ceased to operate, he or she did not unreasonably
23 delay in commencing the action.

24 (b) In no event may liability for past support of the child be imposed for any
25 period before the birth of the child.

1 **SECTION 3065cw.** 767.51 (4g) of the statutes is repealed.

2 **SECTION 3065cx.** 767.51 (4m) of the statutes is repealed.

3 **SECTION 3065cy.** 767.51 (5) of the statutes is repealed.

4 **SECTION 3065d.** 767.51 (5d) of the statutes is repealed.

5 **SECTION 3065dd.** 767.51 (5p) of the statutes, as affected by 1997 Wisconsin Act
6 191, is repealed.

7 **SECTION 3065de.** 767.53 (intro.) of the statutes is amended to read:

8 **767.53 Paternity hearings and records; confidentiality.** (intro.) Any
9 hearing, discovery proceeding or trial relating to paternity determination shall be
10 closed to any person other than those necessary to the action or proceeding. Any
11 record of the pending proceedings shall be placed in a closed file, except that:

12 **SECTION 3065df.** 767.53 (1) (intro.) of the statutes is amended to read:

13 767.53 **(1)** (intro.) Access to the record of any pending ~~or past~~ proceeding
14 involving the paternity of the same child shall be allowed to all of the following:

15 **SECTION 3065dg.** 767.53 (3) of the statutes is created to read:

16 767.53 **(3)** Subject to s. 767.19, a record of a past proceeding is open to public
17 inspection if all of the following apply:

18 (a) Paternity was established in the proceeding.

19 (b) The record is filed after the effective date of this paragraph [revisor
20 inserts date].

21 (c) The record relates to a post-adjudication issue.

22 **SECTION 3065dh.** 767.62 (4) of the statutes, as affected by 1997 Wisconsin Act
23 191, is repealed and recreated to read:

24 767.62 **(4)** ORDERS WHEN PATERNITY ACKNOWLEDGED. In an action under sub. (3)

25 (a), if the persons who signed and filed the statement acknowledging paternity as

1 parents of the child had notice of the hearing, the court or family court commissioner
2 shall make an order that contains all of the following provisions:

3 (a) Orders for the legal custody of and periods of physical placement with the
4 child, determined in accordance with s. 767.24.

5 (b) An order requiring either or both of the parents to contribute to the support
6 of any child of the parties who is less than 18 years old, or any child of the parties who
7 is less than 19 years old if the child is pursuing an accredited course of instruction
8 leading to the acquisition of a high school diploma or its equivalent, determined in
9 accordance with s. 767.25.

10 (c) A determination as to which parent, if eligible, shall have the right to claim
11 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or
12 as an exemption for state tax purposes under s. 71.07 (8) (b).

13 (d) An order requiring the father to pay or contribute to the reasonable
14 expenses of the mother's pregnancy and the child's birth, based on the father's ability
15 to pay or contribute to those expenses.

16 (e) An order requiring either or both parties to pay or contribute to the costs
17 of the guardian ad litem fees and other costs.

18 (f) An order requiring either party to pay or contribute to the attorney fees of
19 the other party.

20 **SECTION 3065di.** 767.62 (4m) of the statutes is created to read:

21 **767.62 (4m) LIABILITY FOR PAST SUPPORT.** (a) Subject to par. (b), liability for past
22 support of the child shall be limited to support for the period after the day on which
23 the petition, motion or order to show cause requesting support is filed in the action
24 for support under sub. (3) (a), unless a party shows, to the satisfaction of the court,
25 all of the following:

1 1. That he or she was induced to delay commencing the action by any of the
2 following:

3 a. Duress or threats.

4 b. Actions, promises or representations by the other party upon which the party
5 relied.

6 c. Actions taken by the other party to evade proceedings under sub. (3) (a).

7 2. That, after the inducement ceased to operate, he or she did not unreasonably
8 delay in commencing the action.

9 (b) In no event may liability for past support of the child be imposed for any
10 period before the birth of the child.”.

11 **1501.** Page 1419, line 18: after that line insert:

12 “**SECTION 3072g.** 778.25 (1) (a) 4. of the statutes is repealed.”.

13 **1502.** Page 1420, line 3: after that line insert:

14 “**SECTION 3073m.** 800.01 (2) (a) of the statutes is amended to read:

15 800.01 (2) (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or
16 968.04 (3) (b) 2. or by personal service by ~~a municipal employee~~ an adult who is a
17 resident of the state where the service is made but who is not a party to the action.”.

18 **1503.** Page 1421, line 6: after that line insert:

19 “**SECTION 3076m.** 800.02 (4) (a) (intro.) of the statutes is amended to read:

20 800.02 (4) (a) (intro.) The summons shall be signed by a municipal judge or by
21 the attorney who is prosecuting the case in municipal court and shall contain the
22 following information.”.

23 **1504.** Page 1422, line 17: after that line insert:

24 “**SECTION 3078g.** 800.04 (5) of the statutes is created to read:

1 800.04 (5) Unless good cause to the contrary is shown, appearances referred
2 to in this section may be conducted by telephone or by interactive video and audio
3 transmission, if available. If testimony is to be taken under oath, the proceeding
4 shall be reported by a court reporter who is in simultaneous voice communication
5 with all parties to the proceeding. Regardless of the physical location of any party
6 to the call, any plea, waiver, stipulation, motion, objection, decision, order or other
7 action taken by the court or any party shall have the same effect as if made in open
8 court. With the exceptions of scheduling conferences, pretrial conferences, and,
9 during hours the court is not in session, the proceeding shall be conducted in a
10 courtroom or other place reasonably accessible to the public. Simultaneous access
11 to the proceeding shall be provided to persons entitled to attend by means of a
12 loudspeaker or, upon request to the court, by making a person party to the telephone
13 call without charge. The court may permit a hearing under this section to be
14 conducted by telephone or by interactive video and audio transmission only if the
15 defendant consents. The defendant's consent may be made by telephone.”.

16 **1505.** Page 1423, line 17: after that line insert:

17 “**SECTION 3080mg.** 800.09 (1) (c) of the statutes is amended to read:

18 800.09 (1) (c) The court may suspend the defendant's operating privilege, as
19 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments
20 and costs are paid, if the defendant has not done so within 60 days after the date the
21 restitution or payments or both are to be made under par. (a) and has not notified the
22 court that he or she is unable to comply with the judgment, as provided under s.
23 800.095 (4) (a), except that the suspension period may not exceed 5 years. The court
24 shall take possession of the suspended license and shall forward the license, along

1 with a notice of the suspension clearly stating that the suspension is for failure to
2 comply with a judgment of the court, to the department of transportation. This
3 paragraph does not apply if the forfeiture is assessed for violation of an ordinance
4 that is unrelated to the violator's operation of a motor vehicle.".

5 **1506.** Page 1424, line 9: after that line insert:

6 "SECTION 3083m. 800.095 (4) (b) 4. of the statutes is amended to read:

7 800.095 (4) (b) 4. That the defendant's operating privilege, as defined in s.
8 340.01 (40), be suspended until the judgment is complied with, except that the
9 suspension period may not exceed 5 years. This subdivision does not apply if the
10 forfeiture is assessed for violation of an ordinance that is unrelated to the violator's
11 operation of a motor vehicle.".

12 **1507.** Page 1425, line 7: after that line insert:

13 "SECTION 3085c. 802.12 (3) (d) 1. of the statutes is amended to read:

14 802.12 (3) (d) 1. Custody and physical placement under s. 767.24, 767.458 (3),
15 767.51 (3) or 767.62 (4) (a).

16 SECTION 3085d. 802.12 (3) (d) 3. of the statutes is amended to read:

17 802.12 (3) (d) 3. Child support under s. 767.25, 767.458 (3), 767.51 or 767.62
18 (4) (a).".

19 **1508.** Page 1426, line 12: after that line insert:

20 "SECTION 3088a. 813.16 (7) of the statutes is amended to read:

21 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)
22 is a corporation supervised by the division of savings and loan institutions, home
23 loan bank board, U.S. office of thrift supervision, federal deposit insurance
24 corporation or resolution trust corporation, the court, unless the opposing party

1 objects, shall appoint an officer of such corporation as receiver to act without
2 compensation and to give such bond as the court requires.”.

3 **1509.** Page 1426, line 12: after that line insert:

4 “**SECTION 3087c.** 808.075 (4) (d) 11. of the statutes is amended to read:

5 808.075 **(4)** (d) 11. Enforcement or modification of assignments under s. 767.25
6 (4m), or 767.265, ~~767.51 (3m) or 767.62 (4) (b) 3.~~”.

7 **1510.** Page 1431, line 11: after that line insert:

8 “**SECTION 3312m.** 891.455 (4) of the statutes is created to read:

9 891.455 **(4)** The presumption under sub. (2) for cancers caused by smoking or
10 tobacco product use shall not apply to any municipal fire fighter who smokes
11 cigarettes, as defined in s. 139.30 (1), or who uses a tobacco product, as defined in s.
12 139.75 (12), after January 1, 2001.”.

13 **1511.** Page 1431, line 11: after that line insert:

14 “**SECTION 3111g.** 880.155 (2) of the statutes is amended to read:

15 880.155 **(2)** If one or both parents of a minor child are deceased and the child
16 is in the custody of the surviving parent or any other person, a grandparent or
17 stepparent of the child may petition for visitation privileges with respect to the child,
18 whether or not the person with custody is married. The grandparent or stepparent
19 may file the petition in a guardianship or temporary guardianship proceeding under
20 this chapter that affects the minor child or may file the petition to commence an
21 independent action under this chapter. The Except as provided in sub. (3m), the
22 court may grant reasonable visitation privileges to the grandparent or stepparent if
23 the surviving parent or other person who has custody of the child has notice of the
24 hearing and if the court determines that visitation is in the best interest of the child.

1 **SECTION 3111j.** 880.155 (3m) of the statutes is created to read:

2 880.155 **(3m)** (a) Except as provided in par. (b), the court may not grant
3 visitation privileges to a grandparent or stepparent under this section if the
4 grandparent or stepparent has been convicted under s. 940.01 of the first-degree
5 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
6 a parent of the child, and the conviction has not been reversed, set aside or vacated.

7 (b) Paragraph (a) does not apply if the court determines by clear and convincing
8 evidence that the visitation would be in the best interests of the child. The court shall
9 consider the wishes of the child in making the determination.

10 **SECTION 3111m.** 880.155 (4m) of the statutes is created to read:

11 880.155 **(4m)** (a) If a grandparent or stepparent granted visitation privileges
12 with respect to a child under this section is convicted under s. 940.01 of the
13 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
14 homicide, of a parent of the child, and the conviction has not been reversed, set aside
15 or vacated, the court shall modify the visitation order by denying visitation with the
16 child upon petition, motion or order to show cause by a person having custody of the
17 child, or upon the court's own motion, and upon notice to the grandparent or
18 stepparent granted visitation privileges.

19 (b) Paragraph (a) does not apply if the court determines by clear and convincing
20 evidence that the visitation would be in the best interests of the child. The court shall
21 consider the wishes of the child in making the determination.

22 **SECTION 3111p.** 880.157 of the statutes is created to read:

23 **880.157 Prohibiting visitation or physical placement if a parent kills**
24 **other parent. (1)** Except as provided in sub. (2), in an action under this chapter
25 that affects a minor child, a court may not grant to a parent of the child visitation or

1 physical placement rights with the child if the parent has been convicted under s.
2 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
3 intentional homicide, of the child's other parent, and the conviction has not been
4 reversed, set aside or vacated.

5 (2) Subsection (1) does not apply if the court determines by clear and
6 convincing evidence that visitation or periods of physical placement would be in the
7 best interests of the child. The court shall consider the wishes of the child in making
8 the determination.”.

9 **1512.** Page 1431, line 11: after that line insert:

10 “**SECTION 3113m.** 895.505 of the statutes is created to read:

11 **895.505 Disposal of records containing personal information. (1)**

12 DEFINITIONS. In this section:

13 (a) “Credit card” has the meaning given in s. 421.301 (15).

14 (am) “Dispose” does not include a sale of a record or the transfer of a record for
15 value.

16 (b) “Financial institution” means any bank, savings bank, savings and loan
17 association or credit union that is authorized to do business under state or federal
18 laws relating to financial institutions, any issuer of a credit card or any investment
19 company.

20 (c) “Investment company” has the meaning given in s. 180.0103 (11e).

21 (d) “Medical business” means any organization or enterprise operated for profit
22 or not for profit, including a sole proprietorship, partnership, firm, business trust,
23 joint venture, syndicate, corporation, limited liability company or association, that

1 possesses information, other than personnel records, relating to a person's physical
2 or mental health, medical history or medical treatment.

3 (e) "Personal information" means any of the following:

4 1. Personally identifiable data about an individual's medical condition, if the
5 data are not generally considered to be public knowledge.

6 2. Personally identifiable data that contain an individual's account or customer
7 number, account balance, balance owing, credit balance or credit limit, if the data
8 relate to an individual's account or transaction with a financial institution.

9 3. Personally identifiable data provided by an individual to a financial
10 institution upon opening an account or applying for a loan or credit.

11 4. Personally identifiable data about an individual's federal, state or local tax
12 returns.

13 (f) "Personally identifiable" means capable of being associated with a particular
14 individual through one or more identifiers or other information or circumstances.

15 (g) "Record" means any material on which written, drawn, printed, spoken,
16 visual or electromagnetic information is recorded or preserved, regardless of
17 physical form or characteristics.

18 (h) "Tax preparation business" means any organization or enterprise operated
19 for profit, including a sole proprietorship, partnership, firm, business trust, joint
20 venture, syndicate, corporation, limited liability company or association, that for a
21 fee prepares an individual's federal, state or local tax returns or counsels an
22 individual regarding the individual's federal, state or local tax returns.

23 **(2) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION.** A financial
24 institution, medical business or tax preparation business may not dispose of a record
25 containing personal information unless the financial institution, medical business,

1 tax preparation business or other person under contract with the financial
2 institution, medical business or tax preparation business does any of the following:

3 (a) Shreds the record before the disposal of the record.

4 (b) Erases the personal information contained in the record before the disposal
5 of the record.

6 (c) Modifies the record to make the personal information unreadable before the
7 disposal of the record.

8 (d) Takes actions that it reasonably believes will ensure that no unauthorized
9 person will have access to the personal information contained in the record for the
10 period between the record's disposal and the record's destruction.

11 **(3) CIVIL LIABILITY; DISPOSAL AND USE.** (a) A financial institution, medical
12 business or tax preparation business is liable to a person whose personal information
13 is disposed of in violation of sub. (2) for the amount of damages resulting from the
14 violation.

15 (b) Any person who, for any purpose, uses personal information contained in
16 a record that was disposed of by a financial institution, medical business or tax
17 preparation business is liable to an individual who is the subject of the information
18 and to the financial institution, medical business or tax preparation business that
19 disposed of the record for the amount of damages resulting from the person's use of
20 the information. This paragraph does not apply to a person who uses personal
21 information with the authorization or consent of the individual who is the subject of
22 the information.

23 **(4) PENALTIES; DISPOSAL AND USE.** (a) A financial institution, medical business
24 or tax preparation business that violates sub. (2) may be required to forfeit not more

1 than \$1,000. Acts arising out of the same incident or occurrence shall be a single
2 violation.

3 (b) Any person who possesses a record that was disposed of by a financial
4 institution, medical business or tax preparation business and who intends to use, for
5 any purpose, personal information contained in the record may be fined not more
6 than \$1,000 or imprisoned for not more than 90 days or both. This paragraph does
7 not apply to a person who possesses a record with the authorization or consent of the
8 individual whose personal information is contained in the record.”.

9 **1513.** Page 1431, line 11: after that line insert:

10 “**SECTION 3111m.** 895.035 (4) of the statutes is amended to read:

11 895.035 **(4)** Except for recovery under sub. (4a) or for retail theft under s.
12 943.51, the maximum recovery under this section from any parent or parents may
13 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any
14 one act of a juvenile in addition to taxable costs and disbursements and reasonable
15 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the
16 same parent or parents commit the same act the total recovery under this section
17 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs
18 and disbursements. The maximum recovery from any parent or parents for retail
19 theft by their minor child is established under s. 943.51.

20 **SECTION 3111t.** 895.035 (4a) of the statutes is created to read:

21 895.035 **(4a)** (a) The maximum recovery under this section by a school board
22 or a governing body of a private school from any parent or parents with custody of
23 a minor child may not exceed \$20,000 for damages resulting from any one act of the
24 minor child in addition to taxable costs and disbursements and reasonable attorney

1 fees, as determined by the court, for damages caused to the school board or the
2 governing body of a private school by any of the following actions of the minor child:

3 1. An act or threat that endangers the property, health or safety of persons at
4 the school or under the supervision of a school authority or that damages the
5 property of a school board or the governing body of a private school and that results
6 in a substantial disruption of a school day or a school activity.

7 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
8 947.015.

9 (b) In addition to other recoverable damages, damages under par. (a) may
10 include the cost to the school board or the governing body of a private school in loss
11 of instructional time directly resulting from the action of the minor child under par.
12 (a).

13 (c) If 2 or more minor children in the custody of the same parent or parents are
14 involved in the same action under par. (a), the total recovery may not exceed \$20,000,
15 in addition to taxable costs, disbursements and reasonable attorney fees, as
16 determined by the court.

17 (d) If an insurance policy does not explicitly provide coverage for actions under
18 par. (a), the issuer of that policy is not liable for the damages resulting from those
19 actions.”.

20 **1514.** Page 1431, line 11: after that line insert:

21 “**SECTION 3113m.** 895.58 of the statutes is created to read:

22 **895.58 Liability exemption; use of special waste under public works**
23 **contracts. (1)** In this section:

24 (a) “Department” means the department of natural resources.

1 (b) “Local governmental unit” means a political subdivision of this state, a
2 special purpose district in this state, an agency or corporation of such a political
3 subdivision or special purpose district, or a combination or subunit of any of the
4 foregoing.

5 (c) “Public works project” means any work done under contract to a state agency
6 or local governmental unit.

7 (d) “Special waste” means any solid waste which is characterized for beneficial
8 use in public works projects by the department of natural resources.

9 **(2)** The department may characterize a solid waste for beneficial use in public
10 works projects by rule, memorandum of understanding between itself and other
11 state agencies or local governmental units, or on a case-by-case basis. The
12 department shall compile and maintain a list of special wastes in a format readily
13 available to the general public and only those special wastes may be required by
14 contracting agencies to be used in a public works project.

15 **(3)** Special waste, when used in a public works project, is not subject to
16 regulation as solid waste under ch. 289.

17 **(4)** A person is immune from liability for the use of special waste on a public
18 works project or for damages resulting from the person’s actions or omissions
19 relating to the use of the special waste on a public works project if all of the following
20 apply:

21 (a) The acts or omissions by the person occurred while performing work under
22 a contract for a public works project including acts or omissions by any person who
23 has a direct contractual relationship with the prime contractor, as defined in s.
24 779.01 (2) (d), under a contract for a public works project to perform labor or furnish
25 materials.

1 (b) The acts or omissions involving the special wastes were required or
2 permitted in a contract for a public works project and the acts or omissions conformed
3 to the provisions of the contract.

4 (5) Subsection (4) does not apply to any person to whom either of the following
5 applies:

6 (a) The person's act or omission involved reckless, wanton or intentional
7 misconduct.

8 (b) The person's act or omission resulted in injury or death to an individual.”.

9 **1515.** Page 1431, line 11: after that line insert:

10 “**SECTION 3113g.** 895.48 (1m) (intro.) of the statutes, as affected by 1997
11 Wisconsin Acts 67 and 156, is amended to read:

12 895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448,
13 chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency
14 medical technician licensed under s. 146.50, physician assistant licensed under ch.
15 448, registered nurse licensed under ch. 441 or a massage therapist or bodyworker
16 issued a license of registration under subch. X of ch. 440 who renders voluntary
17 health care to a participant in an athletic event or contest sponsored by a nonprofit
18 corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001
19 (3r), a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655
20 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that
21 care if all of the following conditions exist:

22 **SECTION 3113m.** 895.48 (1m) (b) of the statutes, as affected by 1997 Wisconsin
23 Act 156, is amended to read:

1 895.48 **(1m)** (b) The physician, athletic trainer, chiropractor, dentist,
2 emergency medical technician, physician assistant, registered nurse, massage
3 therapist or bodyworker does not receive compensation for the health care, other
4 than reimbursement for expenses.”.

5 **1516.** Page 1431, line 22: after that line insert:

6 **“SECTION 3130m.** 938.20 (8) of the statutes is amended to read:

7 938.20 **(8)** If a juvenile is held in custody, the intake worker shall notify the
8 juvenile’s parent, guardian and legal custodian of the reasons for holding the juvenile
9 in custody and of the juvenile’s whereabouts unless there is reason to believe that
10 notice would present imminent danger to the juvenile. If a juvenile who has violated
11 the terms of aftercare supervision administered by the department or a county
12 department is held in custody, the intake worker shall also notify the department or
13 county department, whichever has supervision over the juvenile, of the reasons for
14 holding the juvenile in custody, of the juvenile’s whereabouts and of the time and
15 place of the detention hearing required under s. 938.21. The parent, guardian and
16 legal custodian shall also be notified of the time and place of the detention hearing
17 required under s. 938.21, the nature and possible consequences of that hearing, the
18 right to counsel under s. 938.23 regardless of ability to pay and the right to present
19 and cross-examine witnesses at the hearing. If the parent, guardian or legal
20 custodian is not immediately available, the intake worker or another person
21 designated by the court shall provide notice as soon as possible. When the juvenile
22 is alleged to have committed a delinquent act, the juvenile shall receive the same
23 notice about the detention hearing as the parent, guardian or legal custodian. The

1 intake worker shall notify both the juvenile and the juvenile's parent, guardian or
2 legal custodian.

3 **SECTION 3131m.** 938.21 (3) (d) of the statutes is amended to read:

4 938.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian
5 or legal custodian shall be informed by the court of the allegations that have been
6 made or may be made, the nature and possible consequences of this hearing as
7 compared to possible future hearings, the right to counsel under s. 938.23 regardless
8 of ability to pay, the right to confront and cross-examine witnesses and the right to
9 present witnesses.

10 **SECTION 3142g.** 938.23 (2) of the statutes is created to read:

11 938.23 (2) (a) Whenever a juvenile is alleged to be in need of protection or
12 services under s. 938.13, any parent under 18 years of age who appears before the
13 court shall be represented by counsel; but no such parent may waive counsel.

14 (b) If a petition under s. 938.13 is contested, no juvenile may be placed outside
15 his or her home unless the nonpetitioning parent is represented by counsel at the
16 fact-finding hearing and subsequent proceedings. If the petition is not contested,
17 the juvenile may not be placed outside his or her home unless the nonpetitioning
18 parent is represented by counsel at the hearing at which the placement is made. A
19 parent who is required under this paragraph to be represented by counsel may,
20 however, waive counsel if the court is satisfied that such waiver is knowingly and
21 voluntarily made, and the court may place the juvenile outside the home even though
22 the parent was not represented by counsel.

23 **SECTION 3142m.** 938.23 (3) of the statutes is amended to read:

24 938.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings~~
25 ~~under s. 938.13, at~~ At any time, upon request or on its own motion, the court may

1 appoint counsel for the juvenile or any party, unless the juvenile or the party has or
2 wishes to retain counsel of his or her own choosing. ~~The court may not appoint~~
3 ~~counsel for any party other than the juvenile in a proceeding under s. 938.13.~~

4 **SECTION 3142p.** 938.23 (4) of the statutes is amended to read:

5 938.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
6 person juvenile has a right to be represented by counsel or is provided counsel at the
7 discretion of the court and counsel is not knowingly and voluntarily waived, the court
8 shall refer the person juvenile to the state public defender and counsel shall be
9 appointed by the state public defender under s. 977.08 without a determination of
10 indigency. In any situation under sub. (2) in which a parent 18 years of age or over
11 is entitled to representation by counsel; counsel is not knowingly and voluntarily
12 waived; and it appears that the parent is unable to afford counsel in full, or the parent
13 so indicates; the court shall refer the parent to the authority for indigency
14 determinations specified in s. 977.01 (1). In any other situation under this section
15 in which a person has a right to be represented by counsel or is provided counsel at
16 the discretion of the court, competent and independent counsel shall be provided and
17 reimbursed in any manner suitable to the court regardless of the person's ability to
18 pay, except that the court may not order a person who files a petition under s. 813.122
19 or 813.125 to reimburse counsel for the juvenile who is named as the respondent in
20 that petition.”.

21 **1517.** Page 1431, line 22: after that line insert:

22 “**SECTION 3130p.** 938.207 (1) (a) of the statutes is amended to read:

23 938.207 (1) (a) The home of a parent or guardian, except that a juvenile may
24 not be held in the home of a parent or guardian if the parent or guardian has been

1 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05
2 of the 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction
3 has not been reversed, set aside or vacated, unless the person making the custody
4 decision determines by clear and convincing evidence that the placement would be
5 in the best interests of the juvenile. The person making the custody decision shall
6 consider the wishes of the juvenile in making that determination.

7 **SECTION 3130r.** 938.207 (1) (b) of the statutes is amended to read:

8 938.207 (1) (b) The home of a relative, except that a juvenile may not be held
9 in the home of a relative if the relative has been convicted under s. 940.01 of the
10 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
11 homicide, of a parent of the juvenile, and the conviction has not been reversed, set
12 aside or vacated, unless the person making the custody decision determines by clear
13 and convincing evidence that the placement would be in the best interests of the
14 juvenile. The person making the custody decision shall consider the wishes of the
15 juvenile in making that determination.”.

16 **1518.** Page 1431, line 22: after that line insert:

17 **“SECTION 3129b.** 938.17 (2) (d) of the statutes is amended to read:

18 938.17 (2) (d) If a municipal court finds that the juvenile violated a municipal
19 ordinance other than an ordinance enacted under s. 118.163 or an ordinance that
20 conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 961.573 (2), 961.574 (2)
21 or 961.575 (2), the court shall enter any of the dispositional orders permitted under
22 s. 938.343 that are authorized under par. (cm). If a juvenile fails to pay the forfeiture
23 imposed by the municipal court, the court may not impose a jail sentence but may
24 suspend any license issued under ch. 29 for not less than 30 days nor more than 5

1 years, or, unless the forfeiture was imposed for violating an ordinance unrelated to
2 the juvenile's operation of a motor vehicle, may suspend the juvenile's operating
3 privilege, as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years.
4 If a court suspends a license or privilege under this section, the court shall
5 immediately take possession of the applicable license and forward it to the
6 department that issued the license, together with the notice of suspension clearly
7 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
8 the forfeiture is paid during the period of suspension, the court shall immediately
9 notify the department, which shall thereupon return the license to the person.”.

10 **1519.** Page 1431, line 22: after that line insert:

11 “**SECTION 3117d.** 938.02 (15g) of the statutes is amended to read:

12 938.02 (15g) “Secured child caring institution” means a child caring institution
13 operated by a child welfare agency that is licensed under s. 48.66 (1) (b) to hold in
14 secure custody persons adjudged delinquent.

15 **SECTION 3118d.** 938.02 (15m) of the statutes is amended to read:

16 938.02 (15m) “Secured correctional facility” means a correctional institution
17 operated or contracted for by the department of corrections or operated by the
18 department of health and family services for holding in secure custody persons
19 adjudged delinquent. “Secured correctional facility” includes the Mendota juvenile
20 treatment center under s. 46.057, the facility at which the juvenile boot camp
21 program under s. 938.532 is operated, and a facility authorized under s. 938.533 (3)
22 (b), 938.538 (4) (b) or 938.539 (5).

23 **SECTION 3119d.** 938.02 (15p) of the statutes is created to read:

1 938.02 (15p) “Secured group home” means a group home that is licensed under
2 s. 48.66 (1) (b) to hold in secure custody persons who have been convicted under s.
3 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4m).

4 **SECTION 3120d.** 938.02 (17) of the statutes is amended to read:

5 938.02 (17) “Shelter care facility” means a nonsecure place of temporary care
6 and physical custody for juveniles, including a holdover room, licensed by the
7 department of health and family services under s. 48.66 (1) (a).

8 **SECTION 3123d.** 938.069 (1) (dj) of the statutes is amended to read:

9 938.069 (1) (dj) Provide aftercare services for a juvenile who has been released
10 from a secured correctional facility ~~or~~, a secured child caring institution or a secured
11 group home.

12 **SECTION 3124d.** 938.08 (3) (a) (intro.) of the statutes is amended to read:

13 938.08 (3) (a) (intro.) In addition to the law enforcement authority specified in
14 sub. (2), department personnel designated by the department ~~and~~, personnel of an
15 agency contracted with under s. 301.08 (1) (b) 3. designated by agreement between
16 the agency and the department and personnel of a county contracted with under s.
17 301.08 (1) (b) 4. designated by agreement between the county and the department
18 have the power of law enforcement authorities to take a juvenile into physical
19 custody under the following conditions:

20 **SECTION 3125d.** 938.08 (3) (a) 1. of the statutes is amended to read:

21 938.08 (3) (a) 1. If they are in prompt pursuit of a juvenile who has run away
22 from a secured correctional facility ~~or~~, a child caring institution or a secured group
23 home.

24 **SECTION 3126d.** 938.08 (3) (a) 2. of the statutes is amended to read:

1 938.08 (3) (a) 2. If the juvenile has failed to return to a secured correctional
2 facility ~~or a child caring institution or a secured group home~~ after any authorized
3 absence.

4 **SECTION 3127d.** 938.08 (3) (b) of the statutes is amended to read:

5 938.08 (3) (b) A juvenile who is taken into custody under par. (a) may be
6 returned directly to the secured correctional facility ~~or a child caring institution or~~
7 secured group home and shall have a hearing regarding placement in a disciplinary
8 cottage or in disciplinary status in accordance with ch. 227.

9 **SECTION 3128d.** 938.17 (1) (c) of the statutes is amended to read:

10 938.17 (1) (c) If the court of civil or criminal jurisdiction orders the juvenile to
11 serve a period of incarceration of 6 months or more, that court shall petition the court
12 assigned to exercise jurisdiction under this chapter and ch. 48 to order one or more
13 of the dispositions provided in s. 938.34, including placement of the juvenile in a
14 secured correctional facility, a secured child caring institution or a secured group
15 home under s. 938.34 (4m), if appropriate.

16 **SECTION 3130d.** 938.183 (1) (a) of the statutes is amended to read:

17 938.183 (1) (a) A juvenile who has been adjudicated delinquent and who is
18 alleged to have violated s. 940.20 (1) or 946.43 while placed in a secured correctional
19 facility, a secure detention facility ~~or a secured child caring institution or a secured~~
20 group home or who has been adjudicated delinquent and who is alleged to have
21 committed a violation of s. 940.20 (2m).

22 **SECTION 3131d.** 938.208 (2) of the statutes is amended to read:

23 938.208 (2) Probable cause exists to believe that the juvenile is a fugitive from
24 another state or has run away from a secured correctional facility, a secured child

1 caring institution or a secured group home and there has been no reasonable
2 opportunity to return the juvenile.

3 **SECTION 3132d.** 938.22 (title) of the statutes is amended to read:

4 **938.22 (title) Establishment of ~~secure detention facilities and shelter~~**
5 **~~care~~ county or private juvenile facilities.**

6 **SECTION 3133d.** 938.22 (1) (a) of the statutes is amended to read:

7 938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of any
8 county may establish a secured group home or a secure detention facility in
9 accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or
10 more counties may jointly establish a secured group home or a secure detention
11 facility in accordance with ss. 46.20, 301.36 and 301.37. The county board of
12 supervisors of any county may establish a ~~secure detention facility or a shelter care~~
13 ~~facility or both~~ in accordance with ss. 46.16 and 46.17 or the county boards of
14 supervisors for 2 or more counties may jointly establish a ~~secure detention facility~~
15 ~~or a shelter care facility or both~~ in accordance with ss. 46.16, 46.17 and 46.20 and
16 301.36. A private entity may establish a secure detention facility in accordance with
17 ss. 301.36 and 301.37 and contract with one or more county boards of supervisors
18 under s. 938.222 for holding juveniles in the private secure detention facility.

19 **SECTION 3134d.** 938.22 (1) (b) of the statutes is amended to read:

20 938.22 (1) (b) Subject to sub. (3) (ar), in counties having a population of less
21 than 500,000, the nonjudicial operational policies of a public secured group home,
22 secure detention facility or shelter care facility shall be determined by the county
23 board of supervisors or, in the case of a public secured group home, secure detention
24 facility or shelter care facility established by 2 or more counties, by the county boards

1 of supervisors for the 2 or more counties jointly. Those policies shall be executed by
2 the superintendent appointed under sub. (3) (a).

3 **SECTION 3135d.** 938.22 (1) (c) of the statutes is amended to read:

4 938.22 **(1)** (c) In counties having a population of 500,000 or more, the
5 nonjudicial operational policies of a public secured group home, secure detention
6 facility and the detention section of the children's court center shall be established
7 by the county board of supervisors, and the execution thereof shall be the
8 responsibility of the director of the children's court center.

9 **SECTION 3136d.** 938.22 (2) (a) of the statutes is amended to read:

10 938.22 **(2)** (a) Counties shall submit plans for the secured group home, secure
11 detention facility or juvenile portion of the county jail to the department of
12 corrections and submit plans for the shelter care facility to the department of health
13 and family services. A private entity that proposes to establish a secure detention
14 facility shall submit plans for the secure detention facility to the department of
15 corrections. The applicable department shall review the submitted plans. A county
16 or a private entity may not implement any such plan unless the applicable
17 department has approved the plan. The department of corrections shall promulgate
18 rules establishing minimum requirements for the approval of the operation of
19 secured group homes, secure detention facilities and the juvenile portion of county
20 jails. The plans and rules shall be designed to protect the health, safety and welfare
21 of the juveniles ~~in these~~ placed in those facilities.

22 **SECTION 3137d.** 938.22 (3) (a) of the statutes is amended to read:

23 938.22 **(3)** (a) In counties having a population of less than 500,000, public
24 secured group homes, secure detention facilities and public shelter care facilities
25 shall be in the charge of a superintendent. The county board of supervisors or, where

1 2 or more counties operate joint public secured group homes, secure detention
2 facilities or ~~public~~ shelter care facilities, the county boards of supervisors for the 2
3 or more counties jointly shall appoint the superintendent and other necessary
4 personnel for the care and education of the juveniles ~~in secure detention or shelter~~
5 care placed in those facilities, subject to par. (am) and to civil service regulations in
6 counties having civil service.

7 **SECTION 3138d.** 938.22 (3) (b) of the statutes is amended to read:

8 938.22 (3) (b) In counties having a population of 500,000 or more, the director
9 of the children's court center shall be in charge of and responsible for public secured
10 group homes, secure detention facilities, the secure detention section of the center
11 and the personnel assigned to this section, including a detention supervisor or
12 superintendent. The director of the children's court center may also serve as
13 superintendent of detention if the county board of supervisors so determines.

14 **SECTION 3139d.** 938.22 (7) (a) of the statutes is amended to read:

15 938.22 (7) (a) No person may establish a shelter care facility without first
16 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
17 operate a shelter care facility, a person must meet the minimum requirements for a
18 license established by the department of health and family services under s. 48.67,
19 meet the requirements specified in s. 48.685 and pay the license fee under par. (b).
20 A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until
21 revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

22 **SECTION 3140d.** 938.22 (7) (b) of the statutes is amended to read:

23 938.22 (7) (b) Before the department of health and family services may issue
24 a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility
25 must pay to that department a biennial fee of \$60.50, plus a biennial fee of \$18.15

1 per juvenile, based on the number of juveniles that the shelter care facility is licensed
2 to serve. A shelter care facility that wishes to continue a license issued under s. 48.66
3 (1) (a) shall pay the fee under this paragraph by the continuation date of the license.
4 A new shelter care facility shall pay the fee under this paragraph by no later than
5 30 days before the opening of the shelter care facility.

6 **SECTION 3141d.** 938.22 (7) (c) of the statutes is amended to read:

7 938.22 (7) (c) A shelter care facility that wishes to continue a license issued
8 under s. 48.66 (1) (a) and that fails to pay the fee under par. (b) by the continuation
9 date of the license or a new shelter care facility that fails to pay the fee under par.
10 (b) by 30 days before the opening of the shelter care facility shall pay an additional
11 fee of \$5 per day for every day after the deadline that the facility fails to pay the fee.

12 **SECTION 3142d.** 938.23 (1) (a) of the statutes is amended to read:

13 938.23 (1) (a) Any juvenile alleged to be delinquent under s. 938.12 or held in
14 a secure detention facility shall be represented by counsel at all stages of the
15 proceedings, but a juvenile 15 years of age or older may waive counsel if the court is
16 satisfied that the waiver is knowingly and voluntarily made and the court accepts
17 the waiver. If the waiver is accepted, the court may not place the juvenile in a secured
18 correctional facility, a secured child caring institution or a secured group home,
19 transfer supervision of the juvenile to the department for participation in the serious
20 juvenile offender program or transfer jurisdiction over the juvenile to adult court.”.

21 **1520.** Page 1432, line 21: after that line insert:

22 “**SECTION 3142r.** 938.243 (1) (e) of the statutes is amended to read:

23 938.243 (1) (e) The right of the juvenile to counsel under s. 938.23.”.

24 **1521.** Page 1434, line 2: after that line insert:

1 **“SECTION 3148m.** 938.27 (4) (b) of the statutes is amended to read:

2 938.27 **(4)** (b) Advise the juvenile and any other party, if applicable, of his or
3 her right to legal counsel regardless of ability to pay.”.

4 **1522.** Page 1435, line 2: after that line insert:

5 **“SECTION 3153p.** 938.34 (3) (a) of the statutes is amended to read:

6 938.34 **(3)** (a) The home of a parent or other relative of the juvenile, except that
7 the court may not designate the home of a parent or other relative of the juvenile as
8 the juvenile’s placement if the parent or other relative has been convicted under s.
9 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
10 intentional homicide, of a parent of the juvenile, and the conviction has not been
11 reversed, set aside or vacated, unless the court determines by clear and convincing
12 evidence that the placement would be in the best interests of the juvenile. The court
13 shall consider the wishes of the juvenile in making that determination.

14 **SECTION 3153r.** 938.34 (3) (b) of the statutes is amended to read:

15 938.34 **(3)** (b) ~~A home which need not be~~ The home of a person who is not
16 required to be licensed if placement is for less than 30 days, except that the court may
17 not designate the name of a person who is not required to be licensed as the juvenile’s
18 placement if the person has been convicted under s. 940.01 of the first-degree
19 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
20 a parent of the juvenile, and the conviction has not been reversed, set aside or
21 vacated, unless the court determines by clear and convincing evidence that the
22 placement would be in the best interests of the juvenile. The court shall consider the
23 wishes of the juvenile in making that determination.”.

24 **1523.** Page 1435, line 2: after that line insert:

1 **“SECTION 3151d.** 938.33 (3) (intro.) of the statutes is amended to read:

2 **938.33 (3) CORRECTIONAL PLACEMENT REPORTS.** (intro.) A report recommending
3 placement of a juvenile in a secured correctional facility ~~under the supervision of the~~
4 ~~department or~~ a secured child caring institution or a secured group home shall be
5 in writing, except that the report may be presented orally at the dispositional
6 hearing if the juvenile and the juvenile’s counsel consent. A report that is presented
7 orally shall be transcribed and made a part of the court record. In addition to the
8 information specified under sub. (1) (a) to (d), the report shall include all of the
9 following:

10 **SECTION 3152d.** 938.33 (3) (a) of the statutes is amended to read:

11 **938.33 (3) (a)** A description of any less restrictive alternatives that are
12 available and that have been considered, and why they have been determined to be
13 inappropriate. If the judge has found that any of the conditions specified in s. 938.34
14 (4m) (b) 1., 2. or 3. applies, the report shall indicate that a less restrictive alternative
15 than placement in a secured correctional facility ~~or~~ a secured child caring institution
16 or a secured group home is not appropriate.

17 **SECTION 3153d.** 938.33 (3r) of the statutes is amended to read:

18 **938.33 (3r) SERIOUS JUVENILE OFFENDER REPORT.** If a juvenile has been
19 adjudicated delinquent for committing a violation for which the juvenile may be
20 placed in the serious juvenile offender program under s. 938.34 (4h) (a), the report
21 shall be in writing and, in addition to the information specified in sub. (1) and in sub.
22 (3) or (4), if applicable, shall include an analysis of the juvenile’s suitability for
23 placement in the serious juvenile offender program under s. 938.34 (4h) or in a
24 secured correctional facility or a secured group home under s. 938.34 (4m), a
25 placement specified in s. 938.34 (3) or placement in the juvenile’s home with

1 supervision and community-based programming and a recommendation as to the
2 type of placement for which the juvenile is best suited.”.

3 **1524.** Page 1435, line 3: after that line insert:

4 “**SECTION 3155d.** 938.34 (4m) (intro.) of the statutes is amended to read:

5 938.34 (4m) CORRECTIONAL PLACEMENT. (intro.) Place the juvenile in a secured
6 correctional facility or a secured child caring institution under the supervision of the
7 department or in a secured group home under the supervision of a county
8 department if the juvenile is 12 years of age or over or, if the juvenile is under 12 years
9 of age, in a secured child caring institution under the supervision of the department
10 or in a secured group home under the supervision of a county department, unless the
11 department, after an examination under s. 938.50, determines that placement in a
12 secured correctional facility is more appropriate, but only if all of the following apply:

13 **SECTION 3156d.** 938.34 (4n) (intro.) of the statutes is amended to read:

14 938.34 (4n) AFTERCARE SUPERVISION. (intro.) Subject to s. 938.532 (3) and to any
15 arrangement between the department and a county department regarding the
16 provision of aftercare supervision for juveniles who have been released from a
17 secured correctional facility ~~or~~, a secured child caring institution or a secured group
18 home, designate one of the following to provide aftercare supervision for the juvenile
19 following the juvenile’s release from the secured correctional facility ~~or~~, secured child
20 caring institution or secured group home:

21 **SECTION 3157d.** 938.34 (4n) (b) of the statutes is amended to read:

22 938.34 (4n) (b) The county department of the county of the court that placed
23 the juvenile in the secured correctional facility ~~or~~, secured child caring institution or
24 secured group home.”.

1 **1525.** Page 1435, line 4: delete lines 4 to 8.

2 **1526.** Page 1435, line 8: after that line insert:

3 “**SECTION 3163k.** 938.355 (3) of the statutes is renumbered 938.355 (3) (a) and
4 amended to read:

5 938.355 (3) (a) If Except as provided in par. (b), if, after a hearing on the issue
6 with due notice to the parent or guardian, the court finds that it would be in the best
7 interest of the juvenile, the court may set reasonable rules of parental visitation.

8 **SECTION 3163m.** 938.355 (3) (b) of the statutes is created to read:

9 938.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant
10 visitation under par. (a) to a parent of a juvenile if the parent has been convicted
11 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
12 2nd-degree intentional homicide, of the juvenile’s other parent, and the conviction
13 has not been reversed, set aside or vacated.

14 1m. Except as provided in subd. 2., if a parent who is granted visitation rights
15 with a juvenile under par. (a) is convicted under s. 940.01 of the first-degree
16 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
17 the juvenile’s other parent, and the conviction has not been reversed, set aside or
18 vacated, the court shall issue an order prohibiting the parent from having visitation
19 with the juvenile on petition of the juvenile, the guardian or legal custodian of the
20 juvenile, a person or agency bound by the dispositional order or the district attorney
21 or corporation counsel of the county in which the dispositional order was entered, or
22 on the court’s own motion, and on notice to the parent.

1 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
2 convincing evidence that the visitation would be in the best interests of the juvenile.
3 The court shall consider the wishes of the juvenile in making that determination.

4 **SECTION 3165k.** 938.357 (4d) of the statutes is created to read:

5 938.357 **(4d)** (a) Except as provided in par. (b), the court may not change a
6 juvenile's placement to a placement in the home of a person who has been convicted
7 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
8 2nd-degree intentional homicide, of a parent of the juvenile, if the conviction has not
9 been reversed, set aside or vacated.

10 (am) Except as provided in par (b), if a parent in whose home a juvenile is placed
11 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.
12 940.05 of the 2nd-degree intentional homicide, of the juvenile's other parent, and the
13 conviction has not been reversed, set aside or vacated, the court shall change the
14 juvenile's placement to a placement out of the home of the parent on petition of the
15 juvenile, the guardian or legal custodian of the juvenile, a person or agency bound
16 by the dispositional order or the district attorney or corporation counsel of the county
17 in which the dispositional order was entered, or on the court's own motion, and on
18 notice to the parent.

19 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
20 convincing evidence that the placement would be in the best interests of the juvenile.
21 The court shall consider the wishes of the juvenile in making that determination.”.

22 **1527.** Page 1435, line 8: after that line insert:

23 **“SECTION 3159b.** 938.34 (8) of the statutes is amended to read:

1 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
2 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The
3 maximum forfeiture that the court may impose under this subsection for a violation
4 by a juvenile is the maximum amount of the fine that may be imposed on an adult
5 for committing that violation or, if the violation is applicable only to a person under
6 18 years of age, \$100. Any such order shall include a finding that the juvenile alone
7 is financially able to pay the forfeiture and shall allow up to 12 months for payment.
8 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
9 other alternatives under this section, in accordance with the conditions specified in
10 this chapter; or the court may suspend any license issued under ch. 29 for not less
11 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for
12 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
13 suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less
14 than 30 days nor more than 5 years. If the court suspends any license under this
15 subsection, the clerk of the court shall immediately take possession of the suspended
16 license and forward it to the department which issued the license, together with a
17 notice of suspension clearly stating that the suspension is for failure to pay a
18 forfeiture imposed by the court. If the forfeiture is paid during the period of
19 suspension, the suspension shall be reduced to the time period which has already
20 elapsed and the court shall immediately notify the department which shall then
21 return the license to the juvenile. Any recovery under this subsection shall be
22 reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r)
23 (b).

24 **SECTION 3161b.** 938.343 (2) of the statutes is amended to read:

1 938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may
2 be imposed on an adult for committing that violation or, if the violation is only
3 applicable to a person under 18 years of age, \$50. Any such order shall include a
4 finding that the juvenile alone is financially able to pay and shall allow up to 12
5 months for the payment. If a juvenile fails to pay the forfeiture, the court may
6 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for
7 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
8 suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less
9 than 30 days nor more than 5 years. The court shall immediately take possession
10 of the suspended license and forward it to the department which issued the license,
11 together with the notice of suspension clearly stating that the suspension is for
12 failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the
13 period of suspension, the court shall immediately notify the department, which will
14 thereupon return the license to the person. Any recovery under this subsection shall
15 be reduced by the amount recovered as a forfeiture for the same act under s. 938.45
16 (1r) (b).”.

17 **1528.** Page 1435, line 8: after that line insert:

18 “**SECTION 3160d.** 938.34 (8d) (c) of the statutes is amended to read:

19 938.34 (8d) (c) If a juvenile placed in a secured correctional facility or a secured
20 child caring institution fails to pay the surcharge under par. (a), the department shall
21 assess and collect the amount owed from the juvenile's wages or other moneys. If a
22 juvenile placed in a secured group home fails to pay the surcharge under par. (a), the
23 county department shall assess and collect the amount owed from the juvenile's

1 wages or other moneys. Any amount collected shall be transmitted to the state
2 treasurer.

3 **SECTION 3162d.** 938.345 (1) (a) of the statutes is amended to read:

4 938.345 (1) (a) Place the juvenile in the serious juvenile offender program, a
5 secured correctional facility ~~or~~, a secured child caring institution or a secured group
6 home.

7 **SECTION 3163d.** 938.355 (1) of the statutes is amended to read:

8 938.355 (1) INTENT. In any order under s. 938.34 or 938.345, the court shall
9 decide on a placement and treatment finding based on evidence submitted to the
10 court. The disposition shall employ those means necessary to promote the objectives
11 specified in s. 938.01. If the disposition places a juvenile who has been adjudicated
12 delinquent outside the home under s. 938.34 (3) (c) or (d), the order shall include a
13 finding that the juvenile's current residence will not safeguard the welfare of the
14 juvenile or the community due to the serious nature of the act for which the juvenile
15 was adjudicated delinquent. If the judge has determined that any of the conditions
16 specified in s. 938.34 (4m) (b) 1., 2. or 3. applies, that determination shall be prima
17 facie evidence that a less restrictive alternative than placement in a secured
18 correctional facility ~~or~~, a secured child caring institution or a secured group home is
19 not appropriate. If information under s. 938.331 has been provided in a court report
20 under s. 938.33 (1), the court shall consider that information when deciding on a
21 placement and treatment finding.

22 **SECTION 3164d.** 938.357 (3) of the statutes is amended to read:

23 938.357 (3) Subject to sub. (4) (b) and (c) and (5) (e), if the proposed change in
24 placement would involve placing a juvenile in a secured correctional facility ~~or in~~, a
25 secured child caring institution or a secured group home, notice shall be given as

1 provided in sub. (1). A hearing shall be held, unless waived by the juvenile, parent,
2 guardian and legal custodian, before the judge makes a decision on the request. The
3 juvenile shall be entitled to counsel at the hearing, and any party opposing or
4 favoring the proposed new placement may present relevant evidence and
5 cross-examine witnesses. The proposed new placement may be approved only if the
6 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been
7 met.

8 **SECTION 3166d.** 938.357 (4g) (a) of the statutes is amended to read:

9 938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile
10 is placed in a secured correctional facility ~~or~~, a secured child caring institution or a
11 secured group home, or within 30 days after the date on which the department
12 requests the aftercare plan, whichever is earlier, the aftercare provider designated
13 under s. 938.34 (4n) shall prepare an aftercare plan for the juvenile. If the aftercare
14 provider designated under s. 938.34 (4n) is a county department, that county
15 department shall submit the aftercare plan to the department within the time limits
16 specified in this paragraph, unless the department waives those time limits under
17 par. (b).

18 **SECTION 3167d.** 938.357 (4g) (b) of the statutes is amended to read:

19 938.357 **(4g)** (b) The department may waive the time period within which an
20 aftercare plan must be prepared and submitted under par. (a) if the department
21 anticipates that the juvenile will remain in the secured correctional facility ~~or~~,
22 secured child caring institution or secured group home for a period exceeding 8
23 months or if the juvenile is subject to s. 48.366 or 938.183. If the department waives
24 that time period, the aftercare provider designated under s. 938.34 (4n) shall prepare

1 the aftercare plan within 30 days after the date on which the department requests
2 the aftercare plan.

3 **SECTION 3168d.** 938.357 (4g) (d) of the statutes is amended to read:

4 938.357 **(4g)** (d) A juvenile may be released from a secured correctional facility
5 or a secured child caring institution or a secured group home whether or not an
6 aftercare plan has been prepared under this subsection.

7 **SECTION 3169d.** 938.357 (5) (e) of the statutes is amended to read:

8 938.357 **(5)** (e) If the hearing examiner finds that the juvenile has violated a
9 condition of aftercare supervision, the hearing examiner shall determine whether
10 confinement in a secured correctional facility or a secured child caring institution
11 or a secured group home is necessary to protect the public, to provide for the juvenile's
12 rehabilitation or to not depreciate the seriousness of the violation.

13 **SECTION 3170d.** 938.357 (5) (f) of the statutes is amended to read:

14 938.357 **(5)** (f) Review of a revocation decision shall be by certiorari to the court
15 by whose order the juvenile was placed in a secured correctional facility or a secured
16 child caring institution or a secured group home.

17 **SECTION 3171d.** 938.38 (3) (a) of the statutes is amended to read:

18 938.38 **(3)** (a) If the juvenile is alleged to be delinquent and is being held in a
19 secure detention facility, juvenile portion of a county jail or shelter care facility, and
20 the agency intends to recommend that the juvenile be placed in a secured
21 correctional facility or a secured child caring institution or a secured group home,
22 the agency is not required to submit the permanency plan unless the court does not
23 accept the recommendation of the agency. If the court places the juvenile in any
24 facility outside of the juvenile's home other than a secured correctional facility or a

1 secured child caring institution or a secured group home, the agency shall file the
2 permanency plan with the court within 60 days after the date of disposition.

3 **SECTION 3173d.** 938.51 (1) (intro.) of the statutes is amended to read:

4 938.51 (1) (intro.) At least 15 days prior to the date of release from a secured
5 correctional facility ~~or~~, a secured child caring institution or a secured group home of
6 a juvenile who has been adjudicated delinquent and at least 15 days prior to the
7 release from the supervision of the department or a county department of a juvenile
8 who has been adjudicated delinquent, the department or county department having
9 supervision over the juvenile shall make a reasonable attempt to do all of the
10 following:

11 **SECTION 3174d.** 938.51 (1m) of the statutes is amended to read:

12 938.51 (1m) The department or county department having supervision over a
13 juvenile described in sub. (1) shall determine the local agencies that it will notify
14 under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's
15 intended residence specified in the juvenile's aftercare supervision plan or, if those
16 methods do not indicate the community in which the juvenile will reside following
17 release from a secured correctional facility ~~or, from~~, a secured child caring institution
18 or a secured group home or from the supervision of the department or county
19 department, the community in which the juvenile states that he or she intends to
20 reside.

21 **SECTION 3175d.** 938.51 (4) (intro.) of the statutes is amended to read:

22 938.51 (4) (intro.) If a juvenile described in sub. (1), (1d) or (1g) escapes from
23 a secured correctional facility, child caring institution, secured group home,
24 inpatient facility, secure detention facility or juvenile portion of a county jail, or from
25 the custody of a peace officer or a guard of such a facility, institution, home or jail,

1 or has been allowed to leave a secured correctional facility, child caring institution,
2 secured group home, inpatient facility, secure detention facility or juvenile portion
3 of a county jail for a specified period of time and is absent from the facility, institution,
4 home or jail for more than 12 hours after the expiration of the specified period, as
5 soon as possible after the department or county department having supervision over
6 the juvenile discovers that escape or absence, that department or county department
7 shall make a reasonable attempt to notify by telephone all of the following persons:”.

8 **1529.** Page 1435, line 8: after that line insert:

9 “**SECTION 3171m.** 938.396 (9) of the statutes is amended to read:

10 938.396 (9) Notwithstanding sub. (2) (a), if a juvenile is adjudged delinquent
11 for committing a serious crime, as defined in s. 48.685 (7) (a) (1) (c), the court clerk
12 shall notify the department of justice of that fact. No other information from the
13 juvenile’s court records may be disclosed to the department of justice except by order
14 of the court. The department of justice may disclose any information provided under
15 this subsection only as part of a criminal history record search under s. 48.685 (2)
16 (am) 1. or (b) 1. a.”.

17 **1530.** Page 1436, line 16: after that line insert:

18 “**SECTION 3183d.** 938.57 (1) (c) of the statutes is amended to read:

19 938.57 (1) (c) Provide appropriate protection and services for juveniles in its
20 care, including providing services for juveniles and their families in their own homes,
21 placing the juveniles in licensed foster homes, licensed treatment foster homes or
22 licensed group homes in this state or another state within a reasonable proximity to
23 the agency with legal custody or contracting for services for them by licensed child
24 welfare agencies or replacing them in juvenile secured correctional institutions or

1 facilities, secured child caring institutions or secured group homes in accordance
2 with rules promulgated under ch. 227, except that the county department may not
3 purchase the educational component of private day treatment programs unless the
4 county department, the school board as defined in s. 115.001 (7) and the state
5 superintendent of public instruction all determine that an appropriate public
6 education program is not available. Disputes between the county department and
7 the school district shall be resolved by the state superintendent of public instruction.

8 **SECTION 3184d.** 938.57 (4) of the statutes is amended to read:

9 938.57 (4) A county department may provide aftercare supervision under s.
10 938.34 (4n) for juveniles who are released from secured correctional facilities ~~or,~~
11 secured child caring institutions ~~operated by the department~~ or secured group
12 homes. If a county department intends to change its policy regarding whether the
13 county department or the department shall provide aftercare supervision for
14 juveniles released from secured correctional facilities ~~or,~~ secured child caring
15 institutions ~~operated by the department~~ or secured group homes, the county
16 executive or county administrator, or, if the county has no county executive or county
17 administrator, the chairperson of the county board of supervisors, or, for multicounty
18 departments, the chairpersons of the county boards of supervisors jointly, shall
19 submit a letter to the department stating that intent before July 1 of the year
20 preceding the year in which the policy change will take effect.

21 **SECTION 3186d.** 938.78 (3) of the statutes is amended to read:

22 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.
23 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,
24 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.
25 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28,

1 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)
2 (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055,
3 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured
4 correctional facility, child caring institution, secured group home, inpatient facility,
5 as defined in s. 51.01 (10), secure detention facility or juvenile portion of a county jail,
6 or from the custody of a peace officer or a guard of such a facility, institution or jail,
7 or has been allowed to leave a secured correctional facility, child caring institution,
8 secured group home, inpatient facility, secure detention facility or juvenile portion
9 of a county jail for a specified time period and is absent from the facility, institution,
10 home or jail for more than 12 hours after the expiration of the specified period, the
11 department or county department having supervision over the juvenile may release
12 the juvenile's name and any information about the juvenile that is necessary for the
13 protection of the public or to secure the juvenile's return to the facility, institution,
14 home or jail. The department of corrections shall promulgate rules establishing
15 guidelines for the release of the juvenile's name or information about the juvenile to
16 the public.

17 **SECTION 3188d.** 939.635 (1) of the statutes is amended to read:

18 939.635 (1) Except as provided in sub. (2), if a person who has been adjudicated
19 delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional
20 facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s.
21 938.02 (16), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or a
22 secured group home, as defined in s. 938.02 (15p), or is convicted of violating s. 940.20
23 (2m), the court shall sentence the person to not less than 3 years of imprisonment.
24 Except as provided in sub. (2), if a person is convicted of violating s. 946.43 while
25 placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure

1 detention facility, as defined in s. 938.02 (16), or a secured child caring institution,
2 as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p).
3 the court shall sentence the person to not less than 5 years of imprisonment.

4 **SECTION 3189d.** 939.635 (2) (b) of the statutes is amended to read:

5 939.635 (2) (b) That imposing the applicable presumptive minimum sentence
6 specified in sub. (1) is not necessary to deter the person or other persons from
7 committing violations of s. 940.20 (1) or 946.43 or other similar offenses while placed
8 in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention
9 facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined
10 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p). or from
11 committing violations of s. 940.20 (2m).”.

12 **1531.** Page 1436, line 16: after that line insert:

13 “**SECTION 3176m.** 940.295 (1) (q) of the statutes is repealed.

14 **SECTION 3176n.** 940.295 (2) (j) of the statutes is repealed and recreated to read:

15 940.295 (2) (j) The Wisconsin School for the Deaf under s. 115.52 and the
16 Wisconsin Center for the Blind and Visually Impaired under s. 115.525.”.

17 **1532.** Page 1436, line 16: after that line insert:

18 “**SECTION 3176m.** 938.983 (title) of the statutes is renumbered 254.92 (title)
19 and amended to read:

20 **254.92 (title) Purchase or possession of cigarettes or tobacco products**
21 **by person under 18 prohibited.**

22 **SECTION 3176n.** 938.983 (1) of the statutes is repealed.

23 **SECTION 3176p.** 938.983 (2) (intro.), (a) and (c) of the statutes are consolidated,
24 renumbered 254.92 (2) (intro.) and amended to read:

1 254.92 (2) (intro.) ~~Except as provided in sub. (3), no~~ No person under 18 years
2 of age may ~~do any of the following: (a) Buy or purchase, attempt to buy any cigarette~~
3 ~~or tobacco product. (c) Possess purchase or possess~~ any cigarette or tobacco product.
4 except as follows:

5 **SECTION 3176q.** 938.983 (2) (b) of the statutes is renumbered 254.92 (1) and
6 amended to read:

7 254.92 (1) ~~Falsely~~ No person under 18 years of age may falsely represent his
8 or her age for the purpose of receiving any cigarette or tobacco product.

9 **SECTION 3176r.** 938.983 (3) of the statutes is renumbered 254.92 (2) (a) and
10 amended to read:

11 254.92 (2) (a) A person under 18 years of age may purchase or possess
12 cigarettes or tobacco products for the sole purpose of resale in the course of
13 employment during his or her working hours if employed by a retailer ~~licensed under~~
14 ~~s. 134.65 (1).~~

15 **SECTION 3176s.** 938.983 (4) of the statutes is renumbered 254.92 (3) and
16 amended to read:

17 254.92 (3) A law enforcement officer shall seize any cigarette or tobacco product
18 involved in any violation of sub. (2) committed in his or her presence that has been
19 sold to and is in the possession of a person under 18 years of age.

20 **SECTION 3176t.** 938.983 (5) of the statutes is repealed.”.

21 **1533.** Page 1436, line 23: after that line insert:

22 “**SECTION 3191bd.** 945.03 of the statutes is renumbered 945.03 (1m), and
23 945.03 (1m) (intro.), as renumbered, is amended to read:

1 945.03 **(1m)** (intro.) Whoever intentionally does any of the following is engaged
2 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E
3 felony:

4 **SECTION 3191bf.** 945.03 (2m) of the statutes is created to read:

5 945.03 **(2m)** If the violation of sub. (1m) involves the possession, operation, set
6 up, collection of proceeds, participation in earnings or maintenance of, or involves
7 acting as the custodian of anything of value bet or offered to be bet on, not more than
8 5 video gambling machines on premises for which a Class “B” or “Class B” license or
9 permit has been issued under ch. 125, the person may be penalized as follows:

10 (a) If the violation involves one video gambling machine, the person may be
11 required to forfeit not more than \$500.

12 (b) If the violation involves 2 video gambling machines, the person may be
13 required to forfeit not more than \$1,000.

14 (c) If the violation involves 3 video gambling machines, the person may be
15 required to forfeit not more than \$1,500.

16 (d) If the violation involves 4 video gambling machines, the person may be
17 required to forfeit not more than \$2,000.

18 (e) If the violation involves 5 video gambling machines, the person may be
19 required to forfeit not more than \$2,500.

20 **SECTION 3191bh.** 945.04 of the statutes is renumbered 945.04 (1m), and 945.04
21 (1m) (intro.), as renumbered, is amended to read:

22 945.04 **(1m)** (intro.) ~~Whoever~~ Except as provided in sub. (2m), whoever
23 intentionally does any of the following is guilty of a Class A misdemeanor:

24 **SECTION 3191bj.** 945.04 (2m) of the statutes is created to read:

1 945.04 **(2m)** If the violation of sub. (1m) involves the set up or use of not more
2 than 5 video gambling machines on premises for which a Class “B” or “Class B”
3 license or permit has been issued under ch. 125, the person may be penalized as
4 follows:

5 (a) If the violation involves one video gambling machine, the person may be
6 required to forfeit not more than \$500.

7 (b) If the violation involves 2 video gambling machines, the person may be
8 required to forfeit not more than \$1,000

9 (c) If the violation involves 3 video gambling machines, the person may be
10 required to forfeit not more than \$1,500.

11 (d) If the violation involves 4 video gambling machines, the person may be
12 required to forfeit not more than \$2,000

13 (e) If the violation involves 5 video gambling machines, the person may be
14 required to forfeit not more than \$2,500.

15 **SECTION 3191bm.** 945.041 (11) of the statutes is created to read:

16 945.041 **(11)** No proceeding under this section may be commenced to revoke a
17 Class “B” or “Class B” license or permit issued under ch. 125 to a person solely
18 because the person knowingly permits 5 or fewer video gambling machines to be set
19 up, kept, managed, used or conducted upon the licensed premises.

20 **SECTION 3191bn.** 945.05 (1) (intro.) of the statutes is amended to read:

21 945.05 **(1)** (intro.) ~~Whoever~~ Except as provided in sub. (1m), whoever
22 manufactures, transfers commercially or possesses with intent to transfer
23 commercially either of the following is guilty of a Class E felony:

24 **SECTION 3191bp.** 945.05 (1m) of the statutes is created to read:

1 945.05 **(1m)** If a violation of sub. (1) involves the commercial transfer of a video
2 gambling machine or possession of a video gambling machine with the intent to
3 transfer commercially, the person is subject to a Class C forfeiture.”.

4 **1534.** Page 1437, line 11: delete “(i) 3. or”.

5 **1535.** Page 1437, line 18: delete “(i) 3. or”.

6 **1536.** Page 1437, line 25: delete “(i)”.

7 **1537.** Page 1438, line 1: delete “3. or”.

8 **1538.** Page 1438, line 8: delete “(i) 3. or”.

9 **1539.** Page 1438, line 16: delete “(i) 3. or”.

10 **1540.** Page 1439, line 1: delete “(i) 3. or”.

11 **1541.** Page 1439, line 7: after that line insert:

12 “**SECTION 3196m.** 946.82 (4) of the statutes is amended to read:

13 946.82 **(4)** “Racketeering activity” means any activity specified in 18 USC 1961
14 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission
15 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
16 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,
17 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,
18 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20
19 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,
20 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),
21 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,
22 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)
23 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,

1 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,
2 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,
3 948.08, 948.12 and 948.30.”.

4 **1542.** Page 1439, line 7: after that line insert:

5 “**SECTION 3192d.** 946.42 (1) (a) of the statutes is amended to read:

6 946.42 **(1)** (a) “Custody” includes without limitation actual custody of an
7 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a
8 secured child caring institution, as defined in s. 938.02 (15g), a secured group home,
9 as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16),
10 a Type 2 child caring institution, as defined in s. 938.02 (19r), or a juvenile portion
11 of a county jail, or of a peace officer or institution guard and constructive custody of
12 prisoners and juveniles subject to an order under s. 48.366, 938.183, 938.34 (4d), (4h)
13 or (4m) or 938.357 (4) or (5) (e) temporarily outside the institution whether for the
14 purpose of work, school, medical care, a leave granted under s. 303.068, a temporary
15 leave or furlough granted to a juvenile or otherwise. Under s. 303.08 (6) it means,
16 without limitation, that of the sheriff of the county to which the prisoner was
17 transferred after conviction. It does not include the custody of a probationer, parolee
18 or person on extended supervision by the department of corrections or a probation,
19 extended supervision or parole officer or the custody of a person who has been
20 released to aftercare supervision under ch. 938 unless the person is in actual custody
21 or is subject to a confinement order under s. 973.09 (4).

22 **SECTION 3193d.** 946.44 (2) (c) of the statutes is amended to read:

23 946.44 **(2)** (c) “Institution” includes a secured correctional facility, as defined
24 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),

1 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring
2 institution, as defined in s. 938.02 (19r).

3 **SECTION 3194d.** 946.44 (2) (d) of the statutes is amended to read:

4 946.44 (2) (d) “Prisoner” includes a person who is under the supervision of the
5 department of corrections under s. 938.34 (4h) or, who is placed in a secured
6 correctional facility or, a secured child caring institution or a secured group home
7 under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) or, who is placed in a Type 2
8 child caring institution under s. 938.34 (4d) or who is subject to an order under s.
9 48.366.

10 **SECTION 3195d.** 946.45 (2) (c) of the statutes is amended to read:

11 946.45 (2) (c) “Institution” includes a secured correctional facility, as defined
12 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),
13 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring
14 institution, as defined in s. 938.02 (19r).

15 **SECTION 3196d.** 946.45 (2) (d) of the statutes is amended to read:

16 946.45 (2) (d) “Prisoner” includes a person who is under the supervision of the
17 department of corrections under s. 938.34 (4h) or, who is placed in a secured
18 correctional facility or, a secured child caring institution or a secured group home
19 under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) or, who is placed in a Type 2
20 child caring institution under s. 938.34 (4d) or who is subject to an order under s.
21 48.366.”.

22 **1543.** Page 1439, line 11: after that line insert:

23 “**SECTION 3197c.** 948.22 (7) (bm) of the statutes is amended to read:

1 948.22 (7) (bm) Upon request, the court may modify the amount of child or
2 spousal support payments determined under par. (b) 2. if, after considering the
3 factors listed in s. 767.25 (1m) ~~or 767.51 (5)~~, regardless of the fact that the action is
4 not one for a determination of paternity or an action specified in s. 767.25 (1), the
5 court finds, by the greater weight of the credible evidence, that the use of the
6 percentage standard is unfair to the child or to either of the child's parents.”.

7 **1544.** Page 1440, line 15: after that line insert:

8 “**SECTION 3201d.** 968.255 (7) (b) of the statutes is amended to read:

9 968.255 (7) (b) Is placed in or transferred to a secured correctional facility, as
10 defined in s. 938.02 (15m), ~~or a secured child caring institution, as defined in s. 938.02~~
11 (15g), or a secured group home, as defined in s. 938.02 (15p).”.

12 **1545.** Page 1447, line 2: delete “Forest,” and substitute “Forest,”.

13 **1546.** Page 1447, line 3: after that line insert:

14 “**SECTION 3207t.** 978.03 (1) of the statutes is amended to read:

15 978.03 (1) The district attorney of any prosecutorial unit having a population
16 of 500,000 or more may appoint ~~4~~ 5 deputy district attorneys and such assistant
17 district attorneys as may be requested by the department of administration and
18 authorized in accordance with s. 16.505. The district attorney shall rank the deputy
19 district attorneys for purposes of carrying out duties under this section. The
20 deputies, according to rank, may perform any duty of the district attorney, under the
21 district attorney's direction. In the absence or disability of the district attorney, the
22 deputies, according to rank, may perform any act required by law to be performed
23 by the district attorney. Any such deputy must have practiced law in this state for
24 at least 2 years prior to appointment under this section.”.

1 **1547.** Page 1447, line 19: delete the material beginning with that line and
2 ending with page 1448, line 20.

3 **1548.** Page 1453, line 4: after that line insert:

4 “**SECTION 3216d.** 980.015 (2) (b) of the statutes is amended to read:

5 980.015 (2) (b) The anticipated release from a secured correctional facility, as
6 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02
7 (15g), or a secured group home, as defined in s. 938.02 (15p). of a person adjudicated
8 delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense.

9 **SECTION 3217d.** 980.02 (1) (b) 2. of the statutes is amended to read:

10 980.02 (1) (b) 2. The county in which the person will reside or be placed upon
11 his or her discharge from a sentence, release on parole or extended supervision, or
12 release from imprisonment, from a secured correctional facility, as defined in s.
13 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),
14 from a secured group home, as defined in s. 938.02 (15p). or from a commitment order.

15 **SECTION 3218d.** 980.02 (2) (ag) of the statutes is amended to read:

16 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,
17 extended supervision or otherwise, from a sentence that was imposed for a conviction
18 for a sexually violent offense, from a secured correctional facility, as defined in s.
19 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),
20 or from a secured group home, as defined in s. 938.02 (15p). if the person was placed
21 in the facility for being adjudicated delinquent under s. 938.183 or 938.34 on the
22 basis of a sexually violent offense or from a commitment order that was entered as
23 a result of a sexually violent offense.

24 **SECTION 3219d.** 980.02 (4) (am) of the statutes is amended to read:

1 980.02 (4) (am) The circuit court for the county in which the person will reside
2 or be placed upon his or her discharge from a sentence, release on parole or extended
3 supervision, or release from imprisonment, from a secured correctional facility, as
4 defined in s. 938.02 (15m), ~~or~~ from a secured child caring institution, as defined in
5 s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a
6 commitment order.

7 **SECTION 3220d.** 980.02 (4) (b) of the statutes is amended to read:

8 980.02 (4) (b) The circuit court for the county in which the person is in custody
9 under a sentence, a placement to a secured correctional facility, as defined in s.
10 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or
11 a secured group home, as defined in s. 938.02 (15p), or a commitment order.”.

12 **1549.** Page 1453, line 22: after that line insert:

13 **“SECTION 3222d.** 980.04 (1) of the statutes is amended to read:

14 980.04 (1) Upon the filing of a petition under s. 980.02, the court shall review
15 the petition to determine whether to issue an order for detention of the person who
16 is the subject of the petition. The person shall be detained only if there is cause to
17 believe that the person is eligible for commitment under s. 980.05 (5). A person
18 detained under this subsection shall be held in a facility approved by the department.
19 If the person is serving a sentence of imprisonment, is in a secured correctional
20 facility, as defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined
21 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is
22 committed to institutional care, and the court orders detention under this
23 subsection, the court shall order that the person be transferred to a detention facility
24 approved by the department. A detention order under this subsection remains in

1 effect until the person is discharged after a trial under s. 980.05 or until the effective
2 date of a commitment order under s. 980.06, whichever is applicable.”.

3 **1550.** Page 1459, line 24: after that line insert:

4 “**SECTION 3243a.** 992.21 of the statutes is created to read:

5 **992.21 Actions by division of savings and loan validated.** Any action
6 taken by the division of savings and loan between July 1, 1996, and the effective date
7 of this section [revisor inserts date], under the name of the division of savings
8 institutions has the same force and effect in all respects as if the action had been
9 taken under the name of the division of savings and loan.”.

10 **1551.** Page 1459, line 24: after that line insert:

11 “**SECTION 3242g.** 985.03 (1) (a) (intro.) of the statutes is amended to read:

12 985.03 (1) (a) (intro.) No Except as provided in par. (am), no publisher of any
13 newspaper in this state shall be awarded or be entitled to any compensation or fee
14 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
15 before the date of the notice publication, the newspaper has been published regularly
16 and continuously in the city, village or town where published, and has had a bona fide
17 paid circulation:

18 **SECTION 3242i.** 985.03 (1) (a) 2. of the statutes is amended to read:

19 985.03 (1) (a) 2. That has had actual subscribers at each publication of not less
20 than 1,000 copies in 1st and 2nd class cities, or 300 copies if in 3rd and class cities
21 or 150 copies if in 4th class cities, villages or towns.

22 **SECTION 3242m.** 985.03 (1) (am) of the statutes is created to read:

23 985.03 (1) (am) The requirement that, for a newspaper to receive any
24 compensation or fee for publishing a legal notice, the newspaper be published

1 regularly and continuously in the city, village or town where published for at least
2 2 of the 5 years immediately before the date of the notice publication does not apply
3 to a newspaper publishing a legal notice at the request of a 4th class city, village or
4 town.”.

5 **1552.** Page 1462, line 24: after that line insert:

6 “**SECTION 3261d.** 1997 Wisconsin Act 27, section 44d is repealed.

7 **SECTION 3261dc.** 1997 Wisconsin Act 27, section 59d is repealed.

8 **SECTION 3261dd.** 1997 Wisconsin Act 27, section 119d is repealed.

9 **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

10 **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

11 **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

12 **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

13 **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

14 **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

15 **SECTION 3261dh.** 1997 Wisconsin Act 27, section 4338c is repealed.

16 **SECTION 3261dha.** 1997 Wisconsin Act 27, section 4338e is repealed.

17 **SECTION 3261dhb.** 1997 Wisconsin Act 27, section 4338g is repealed.

18 **SECTION 3261dhc.** 1997 Wisconsin Act 27, section 4338i is repealed.

19 **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

20 **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

21 **1553.** Page 1462, line 24: after that line insert:

22 “**SECTION 3261b.** 1997 Wisconsin Act 27, section 1664f is repealed.

23 **SECTION 3261c.** 1997 Wisconsin Act 27, section 2059f is repealed.”.

1 **1554.** Page 1463, line 21: delete “amended to read:” and substitute
2 “repealed.”.

3 **1555.** Page 1463, line 22: delete the material beginning with that line and
4 ending with page 1464, line 3.

5 **1556.** Page 1464, line 3: after that line insert:

6 “**SECTION 3262g.** 1997 Wisconsin Act 27, section 9423 (9ptt) is repealed.”.

7 **1557.** Page 1465, line 20: delete the material beginning with that line and
8 ending with page 1467, line 6.

9 **1558.** Page 1467, line 8: delete the material beginning with that line and
10 ending with page 1468, line 17 and substitute:

11 “(1mb) AUTHORIZED POSITIONS. The authorized FTE positions for the
12 department of administration, funded from the appropriation under section 20.505
13 (4) (o) of the statutes, are increased by 1.0 FED position to administer learn and serve
14 grants.”.

15 **1559.** Page 1468, line 17: after that line insert:

16 “(1zt) INITIAL APPOINTMENTS TO COUNCIL ON UTILITY PUBLIC BENEFITS.
17 Notwithstanding section 15.107 (17) (intro.) of the statutes, as created by this act,
18 the initial members of the council on utility public benefits shall be appointed for the
19 following terms:

20 (a) One of the members under section 15.107 (17) (a), (b) and (d) of the statutes,
21 as created by this act, for terms expiring on July 1, 2001.

22 (b) One of the members under section 15.107 (17) (a) of the statutes, as created
23 by this act, and the members under section 15.107 (17) (c), (e) and (f) of the statutes,
24 as created by this act, for terms expiring on July 1, 2002.

1 (c) One of the members under section 15.107 (17) (b) and (d) of the statutes, as
2 created by this act, and the members under section 15.107 (17) (g) and (h) of the
3 statutes, as created by this act, for terms expiring on July 1, 2003.

4 (1zu) UTILITY PUBLIC BENEFITS AND TRANSMISSION LINE RULES.

5 (a) Using the procedure under section 227.24 of the statutes, the department
6 of administration shall, no later than 60 days after the effective date of this
7 subsection, promulgate the rules required under section 16.957 (4) (b) of the statutes,
8 as created by this act, for the period before the effective date of the permanent rules
9 promulgated under that section, but not to exceed the period authorized under
10 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and
11 (3) of the statutes, the department is not required to make a finding of emergency.
12 Notwithstanding section 16.957 (4) (b) (intro.) of the statutes, as created by this act,
13 the department of administration is not required to consult with the council on utility
14 public benefits in promulgating rules under this paragraph.

15 (am) Using the procedure under section 227.24 of the statutes, the department
16 of administration shall promulgate the rules required under sections 16.957 (2) (c)
17 and 16.969 (2) of the statutes, as created by this act, for the period before the effective
18 date of the permanent rules promulgated under those sections, but not to exceed the
19 period authorized under section 227.24 (1) (c) and (2) of the statutes.
20 Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not
21 required to make a finding of emergency.

22 (b) The department of administration shall submit in proposed form the rules
23 required under sections 16.957 (2) (c) and (4) (b) and 16.969 (2) of the statutes, as
24 created by this act, to the legislative council staff under section 227.15 (1) of the

1 statutes no later than the first day of the 6th month beginning after the effective date
2 of this paragraph.

3 (1zv) PUBLIC BENEFITS FEES.

4 (a) Notwithstanding section 16.957 (4) (c) 1. (intro.) of the statutes, as created
5 by this act, the department of administration shall ensure that, for fiscal year
6 1999–2000, the portion of the public benefits fee that is specified in section 16.957
7 (4) (c) 1. (intro.) of the statutes, as created by this act, is reduced in proportion to the
8 length of time that has elapsed in that fiscal year at the time that the rules specified
9 in subsection (1zu) (a) become effective.

10 (b) Notwithstanding section 16.957 (4) (c) 2. of the statutes, as created by this
11 act, the department of administration shall ensure that, for fiscal year 1999–2000,
12 the portion of the public benefits fee that is specified in section 16.957 (4) (c) 2. of the
13 statutes, as created by this act, is reduced in proportion to the length of time that has
14 elapsed in that fiscal year at the time that the rules specified in subsection (1zu) (a)
15 become effective.

16 (c) Notwithstanding section 16.957 (5) (a) of the statutes, as created by this act,
17 for fiscal year 1999–2000, the annual average amount of the monthly public benefits
18 fee that retail electric cooperatives and municipalities are required to charge to each
19 customer or member shall be reduced in proportion to the length of time that has
20 elapsed in that fiscal year as of the effective date of the rules promulgated under
21 subsection (1zu) (a). Upon the request of a retail electric cooperative or municipality,
22 the department of administration shall provide advice as to the amount of a
23 reduction that is required under this paragraph.

1 (1zw) PHASE-IN OF WEATHERIZATION AND ENERGY CONSERVATION AWARDS.
2 Notwithstanding section 16.957 (2) (a) (intro.) of the statutes, as created by this act,
3 the department of administration shall do each of the following:

4 (a) Specify a schedule for fiscal years 1999–2000 and 2000–01 for phasing in
5 the requirement to spend the amount specified in section 16.957 (2) (a) of the
6 statutes, as created by this act, on weatherization and other energy conservation
7 services.

8 (b) Ensure that grants under section 16.957 (2) (a) of the statutes, as created
9 by this act, are made in accordance with the schedule specified in paragraph (a).”.

10 **1560.** Page 1469, line 14: after that line insert:

11 “(3d) DISTRICT ATTORNEY POSITION REALLOCATIONS.

12 (a) *Increased allocations.* Of the authorized FTE GPR assistant district
13 attorney positions for the department of administration funded from the
14 appropriation under section 20.475 (1) (d) of the statutes, the number of positions
15 allocated to the following prosecutorial units shall be increased as follows: 1.0
16 position for Sauk County, to be assigned to serve Columbia, Marquette and Sauk
17 counties; and 0.5 position for La Crosse County.

18 (b) *Decreased allocations.* Of the authorized FTE GPR assistant district
19 attorney positions for the department of administration funded from the
20 appropriation under section 20.475 (1) (d) of the statutes, the number of positions
21 allocated to the following prosecutorial units shall be decreased as follows: 1.25
22 positions for Milwaukee County; and 0.5 position for Columbia County.”.

23 **1561.** Page 1475, line 21: after that line insert:

1 “(11d) PILOT LITERACY PROGRAMS. In fiscal year 2000–01, the secretary of
2 administration shall allocate \$150,000 from the appropriation under section 20.505
3 (6) (pb) of the statutes to award grants on a competitive basis to 6 counties for pilot
4 literacy programs in jails or houses of corrections. To be eligible for a grant under
5 this subsection, a county must pay at least 25% of the total cost of its pilot literacy
6 program.”.

7 **1562.** Page 1477, line 24: delete the material beginning with that line and
8 ending with page 1478, line 8.

9 **1563.** Page 1480, line 7: delete lines 7 and 8 and substitute:

10 “2. To be eligible to receive aid a city, village, town or county must have in effect
11 zoning ordinances and subdivision regulations, as described in section 66.0295 (3)
12 (h), (j), (k) and (L) of the statutes, as created by this act, that are consistent with the
13 comprehensive plan.”.

14 **1564.** Page 1480, line 10: after that line insert:

15 “(c) The proposal shall specify that a city, village, town or county shall receive
16 one aid credit for each new housing unit that was sold or rented, on lots that are no
17 more than one-quarter acre, in the year before the year in which the grant
18 application is made. The proposal shall also specify that a city, village, town or
19 county shall receive one credit for each new housing unit that was sold at no more
20 than 80% of the median sale price for new homes in the county in which the city,
21 village or town is located or primarily located in the year before the year in which the
22 grant application is made. Grants shall be awarded based on the number of credits
23 that a city, village, town or county receives in the year to which its application
24 relates.”.

1 **1565.** Page 1480, line 16: after that line insert:

2 “(19g) POSITION AUTHORIZATION. The authorized FTE positions for the
3 department of administration are increased by 1.0 GPR position, to be funded from
4 the appropriation under section 20.505 (1) (cn) of the statutes, as created by this act.”.

5 **1566.** Page 1480, line 25: after that line insert:

6 “(20m) STUDY OF STATE-OWNED WATER PURIFICATION AND WASTEWATER TREATMENT
7 PLANTS. The department of administration shall study the feasibility and desirability
8 of selling, leasing or forming public-private partnerships to operate the water
9 purification and wastewater treatment plants owned by the state. The department
10 shall submit a report to the legislature concerning the options available to the state
11 with respect to such sale, leasing or operational agreements in the manner provided
12 under section 13.172 (2) of the statutes no later than December 31, 2000.”.

13 **1567.** Page 1480, line 25: after that line insert:

14 “(20g) BINGO GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The
15 authorized FTE positions for the department of administration are increased by 4.0
16 PR positions, to be funded from the appropriation under section 20.505 (8) (jm) of the
17 statutes for the purpose of conducting general program operations for bingo.”.

18 **1568.** Page 1480, line 25: after that line insert:

19 “(21g) WISCONSIN SESQUICENTENNIAL COMMISSION; GENERAL PROGRAM OPERATIONS
20 OVERPAYMENT READJUSTMENT. Not later than 30 days after the effective date of this
21 subsection, the secretary of administration shall recompute the amount of the
22 transfer from the historical legacy trust fund to the transportation fund required by
23 1997 Wisconsin Act 237, section 9101 (1x), by adding to the sum determined by the
24 secretary of administration under 1997 Wisconsin Act 237, section 9101 (1x) (intro.),

1 the moneys deposited to the historical legacy trust fund under section 341.14 (6r) (bg)
2 3. b., 1997 stats. If the amount of the transfer required by the recomputation under
3 this subsection is greater than the amount transferred under 1997 Wisconsin Act
4 237, section 9101 (1x), the secretary of administration shall transfer from the
5 historical legacy trust fund to the transportation fund not later than 30 days after
6 the effective date of this subsection an amount equal to the difference between the
7 amount transferred under 1997 Wisconsin Act 237, section 9101 (1x), and the
8 amount of the transfer calculated under the recomputation required by this
9 subsection.”.

10 **1569.** Page 1480, line 25: after that line insert:

11 “(20c) SELLING AND TRANSFERRING RIGHTS TO TOBACCO LITIGATION FUNDS. The
12 department of administration shall study the idea of selling and transferring
13 Wisconsin’s rights to the moneys due Wisconsin under the Attorneys General Master
14 Tobacco Settlement Agreement of November 23, 1998, for the purpose of creating a
15 permanent endowment fund. No later than January 1, 2000, the department shall
16 submit the study to the legislature in the manner provided under section 13.172 (2)
17 of the statutes.”.

18 **1570.** Page 1480, line 25: after that line insert:

19 “(19wx) GRANTS FOR CENSUS EDUCATION PROGRAMS.

20 (a) In this subsection:

21 1. “Association” means the Wisconsin Towns Association, the Wisconsin
22 Alliance of Cities or the League of Wisconsin Municipalities.

23 2. “Department” means the department of administration.

24 3. “Municipality” means a city, village or town.

1 (b) The department shall review and approve grants from the state to qualified
2 applicants under this paragraph for programs designed to ensure a complete,
3 accurate 2000 federal decennial census. Grants are subject to the following
4 procedures and conditions:

5 1. Application may be made by any association, by any county, municipality or
6 group of municipalities in this state which has a population of 20,000 or more,
7 according to the 1990 federal decennial census, or by any county, municipality or
8 group of municipalities in this state which can demonstrate that a substantial
9 portion of the population of the county, municipality or group is hard to enumerate.

10 In this subdivision, “hard to enumerate” populations include:

- 11 a. Racial and ethnic minorities.
- 12 b. Individuals for whom English is not their primary language.
- 13 c. Homeless individuals.
- 14 d. Migrant workers.
- 15 e. Residents of public housing projects or other concentrations of rental units.
- 16 f. Individuals who may be outside the mainstream of daily life, such as
17 homebound, elderly or disabled individuals.
- 18 g. Student populations.

19 2. Applications shall be received by the department no later than the 30th day
20 after the effective date of this subsection in order to qualify for a grant.

21 3. The department shall announce awards of grants on or before the 15th day
22 after the application deadline specified in subdivision 2. The department shall make
23 payment of 60% of each grant at the time of award.

24 4. No costs incurred after June 1, 2000, are eligible to be paid from a grant.

1 5. a. The department shall make grants on a matching basis, but no grant may
2 exceed \$200,000, except as authorized under subdivision 5. b. If the total amount of
3 the grants payable exceeds the moneys available in the appropriation under section
4 20.505 (1) (e) of the statutes, as created by this act, the department shall adjust
5 amounts of the grants on a prorated basis.

6 b. If, after the department awards all grant moneys for which the department
7 has qualifying applications, there remain unencumbered moneys in the
8 appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the
9 department may award additional grant moneys to any original qualified applicants
10 who apply to receive additional grant moneys. In distributing additional grant
11 moneys, the department shall apportion the moneys on a prorated basis in
12 accordance with the amounts awarded to each applicant originally, up to the amount
13 of additional moneys matched by the applicant as provided in subdivision 5. a., but
14 not to exceed a total grant of \$250,000 to a single applicant. If, after additional grants
15 are awarded under this subdivision, there remain unencumbered moneys in the
16 appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the
17 department may award additional grants on the same basis as provided under this
18 subdivision until all unencumbered moneys in the appropriation under section
19 20.505 (1) (e) of the statutes are exhausted. For purposes of apportionment of any
20 such additional grant moneys, the department shall exclude any amount paid to a
21 recipient that received the maximum grant permitted under this subdivision.

22 6. Only direct costs are eligible to be paid from a grant. Such costs include
23 personnel costs of staff specifically assigned to a census complete count promotion
24 and the costs of office space, data processing, travel within the area covered by the
25 grant, communications, media advertising, printing, postage and supplies directly

1 attributable to a complete count promotion. Costs not eligible to be paid from a grant
2 are equipment and property costs, application preparation costs, indirect costs, and
3 any costs considered by the department to be inconsistent with the purposes of this
4 subsection.

5 7. Each grant application under subdivision 1. or 5. b. shall include all of the
6 following:

7 a. A description of the geographic area covered by the grant application,
8 including, except in the case of an association, the name of each county, municipality
9 or municipality included within a group that is applying for a grant and the
10 approximate total population of each such county and municipality.

11 b. The categories of populations targeted for the census promotional program,
12 including the approximate number in each category. If populations other than those
13 listed in subdivision 1. are identified, the application shall include an explanation
14 of why the members of the population are hard to enumerate.

15 c. Activities planned to reach each of these populations, including tentative
16 schedules, source of staff and number of anticipated staff, and materials and other
17 information which would provide a clear understanding of the promotional program.

18 d. Identification of costs related to subdivision 7. c.

19 e. The amount of the grant requested and the sources and amounts of matching
20 funds.

21 f. A plan for the final accounting and evaluation of the promotional program.

22 g. The signature of the highest ranking official of each county, municipality or
23 association making application for the grant or of each municipality included within
24 a group making application for the grant.

1 h. If the application is made by an applicant other than a single county or
2 municipality, the name and title of the project coordinator who is responsible for the
3 overall effort.

4 8. The department may reject any application which does not appropriately
5 meet all requirements of this subsection.

6 9. Each grant recipient under this subsection shall provide for a final
7 accounting and submit a report of the accounting together with its request for final
8 payment to the department by July 15, 2000. The report shall be certified by the chief
9 financial officer of the recipient, by a certified public accountant and the highest
10 ranking official of the recipient, or, in the case of a group of municipalities, by such
11 officer or accountant and official of each of the municipalities. The department shall
12 make payment of the final 40% of the grant when the final accounting has been
13 completed to its satisfaction.

14 (19wy) STATEWIDE COMPLETE CENSUS COUNT PROGRAM. The department of
15 administration shall, from the appropriation under section 20.505 (1) (a) of the
16 statutes in fiscal year 1999–2000, conduct a statewide program to educate the public
17 concerning federal census procedures and the importance of assuring a complete and
18 accurate 2000 federal decennial census in this state. The department shall not
19 encumber or expend any moneys for this purpose without the approval of the census
20 education board.”.

21 **1571.** Page 1481, line 6: after that line insert:

22 “(1m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
23 COMPLAINTS. Not later than the first day of the 13th month after the effective date
24 of this subsection, the department of agriculture, trade and consumer protection

1 shall enter into a memorandum of understanding with the department of justice and
2 the public service commission for the purpose of coordinating each party's efforts to
3 respond to and address consumer complaints regarding telecommunication
4 services.”.

5 **1572.** Page 1481, line 7: delete lines 7 to 25.

6 **1573.** Page 1481, line 25: after that line insert:

7 “(3y) NURSERY REGULATION POSITION. The authorized FTE positions for the
8 department of agriculture, trade and consumer protection, funded from the
9 appropriation under section 20.115 (7) (ja) of the statutes, are decreased by 1.0 PR
10 position for the purpose of nursery regulation.”.

11 **1574.** Page 1481, line 25: after that line insert:

12 “(2m) FISH MICROBIOLOGIST. The authorized FTE positions for the department
13 of agriculture, trade and consumer protection are increased by 1.0 PR position, to be
14 funded from the appropriation under section 20.115 (2) (g) of the statutes, to perform
15 fish microbiology.”.

16 **1575.** Page 1482, line 3: substitute “\$150,000” for “\$50,000”.

17 **1576.** Page 1482, line 7: after that line insert:

18 “(2w) PORTAGE COUNTY ARTS ALLIANCE. From the appropriation under section
19 20.215 (1) (fm) of the statutes, as created by this act, the arts board shall award a
20 grant of \$50,000 in the 1999–2000 fiscal year to the city of Stevens Point arts council
21 for development of the Portage County Arts Alliance if the arts council provides at
22 least \$50,000 in matching funds.”.

23 **1577.** Page 1484, line 4: substitute “services” for “sciences”.

1578. Page 1484, line 19: delete lines 19 and 20 and adjust the appropriate totals accordingly.

1579. Page 1485, line 3: delete lines 3 to 5 and adjust the appropriate totals accordingly.

1580. Page 1485, line 6: delete lines 6 to 8 and adjust the appropriate totals accordingly.

1581. Page 1487, line 12: after that line insert (and adjust the appropriate totals accordingly):

“Milwaukee Lakeshore State Park development	2,000,000
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(Total project all funding sources \$9,000,000)”.

1582. Page 1488, line 3: after that line insert (and adjust the appropriate totals accordingly):

“5m. *Projects funded by moneys appropriated to the agency*
from any revenue source:

Milwaukee Lakeshore State Park development	5,000,000
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(Total project all funding sources \$9,000,000)”.

1583. Page 1488, line 4: after that line insert (and adjust the appropriate totals accordingly):

“Milwaukee Lakeshore State Park development	2,000,000
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(Total project all funding sources \$9,000,000)”.

1584. Page 1490, line 13: delete lines 13 and 14 and adjust the appropriate totals accordingly.

1585. Page 1492, line 16: delete lines 16 and 17 and adjust the appropriate totals accordingly.

1586. Page 1494, line 13: after that line insert the following (and adjust the appropriate totals accordingly):

“(km) MILWAUKEE POLICE ATHLETIC LEAGUE

1. Projects financed by general fund supported borrowing:

Youth activities center	\$1,000,000
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(Total project all funding sources \$5,074,000)

2. Projects financed by gifts, grants and other receipts:

Youth activities center	4,074,000
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(Total project all funding sources \$5,074,000)

3. Agency totals:

General fund supported borrowing	1,000,000
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Gifts, grants and other receipts	<u>4,074,000</u>
----------------------------------	------------------

Total — All sources of funds	\$ 5,074,000”.
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1587. Page 1494, line 14: delete the material beginning with that line and ending with page 1495, line 2 and adjust the appropriate totals accordingly.

1588. Page 1495, line 2: after that line insert (and adjust the appropriate totals accordingly):

“(Lm) SWISS CULTURAL CENTER

1. Projects financed by general fund supported borrowing:

Swiss cultural center -- New Glarus	1,000,000
-------------------------------------	-----------

(Total project all funding sources \$6,000,000)

2. Projects financed by program revenue:

Swiss cultural center -- New Glarus	1,000,000
-------------------------------------	-----------

(Total project all funding sources \$6,000,000)

3. Projects financed by gifts, grants and other receipts:

Swiss cultural center -- New Glarus	4,000,000
-------------------------------------	-----------

(Total project all funding sources \$6,000,000)

4. Agency totals:

General fund supported borrowing	1,000,000
----------------------------------	-----------

Program revenue	1,000,000
-----------------	-----------

Gifts, grants and other receipts	<u>6,000,000</u>
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Total -- All sources of funds	6,000,000".
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1589. Page 1500, line 12: after that line insert:

“(6g) SWISS CULTURAL CENTER. Notwithstanding section 13.48 (33) of the statutes, as created by this act, the building commission shall not make a grant to the organization known as the Swiss Cultural Center for the Swiss cultural center project enumerated in subsection (1) (Lm) under section 13.48 (33) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.”.

1590. Page 1500, line 12: after that line insert:

1 “(6m) MILWAUKEE POLICE ATHLETIC LEAGUE YOUTH ACTIVITIES CENTER.
2 Notwithstanding section 13.48 (34) of the statutes, as created by this act, the
3 building commission shall not make a grant to the Milwaukee Police Athletic League
4 for the youth activities center project enumerated in subsection (1) (km) under
5 section 13.48 (34) of the statutes, as created by this act, unless the department of
6 administration has reviewed and approved the plans for the project.
7 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
8 administration shall not supervise any services or work or let any contract for the
9 project. Section 16.87 of the statutes does not apply to the project.”.

10 **1591.** Page 1501, line 24: after that line insert:

11 “(1g) CIRCUIT COURT BRANCH, 2000. The initial election for circuit judge for
12 branch 3 of the circuit court for Waupaca County shall be at the spring election of
13 2000 for a term commencing August 1, 2000, and ending July 31, 2006.

14 (1h) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts
15 are increased by 1.0 GPR circuit judge position on August 1, 2000, to be funded from
16 the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional
17 circuit court judge for the circuit court branch for Waupaca County created by this
18 act.

19 (1i) COURT REPORTER POSITION. The authorized FTE positions for the circuit
20 courts are increased by 1.0 GPR court reporter position on August 1, 2000, to be
21 funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide
22 one additional court reporter for the circuit court branch for Waupaca County created
23 by this act.”.

24 **1592.** Page 1501, line 24: after that line insert:

1 “(2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS
2 GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions
3 for termination of parental rights under section 48.42 (1) of the statutes filed on the
4 effective date of this subsection, but does not preclude consideration of a conviction
5 under section 939.30 of the statutes obtained before the effective date of this
6 subsection in determining whether to terminate, or to find grounds to terminate, the
7 parental rights of a person under section 48.415 (8) of the statutes, as affected by this
8 act.”.

9 **1593.** Page 1501, line 24: after that line insert:

10 “(2f) CIRCUIT COURT SUPPORT PAYMENTS. Notwithstanding section 758.19 (5) (b)
11 (intro.) of the statutes, as affected by this act, if the director of state courts has made
12 a payment under section 758.19 (5) of the statutes after June 30, 1999, and before
13 the effective date of this subsection, the initial payment required by section 758.19
14 (5) (b) (intro.) of the statutes, as affected by this act, shall be reduced by the amount
15 of that payment.”.

16 **1594.** Page 1502, line 6: after “(2m)” insert “and (3) (b)”.

17 **1595.** Page 1502, line 14: delete “of the statutes.” and substitute “, 1997
18 stats.”.

19 **1596.** Page 1502, line 14: after that line insert:

20 “(3j) DEPARTMENT OF COMMERCE ENFORCEMENT OF ONE- AND 2-FAMILY DWELLING
21 CODE IN CERTAIN MUNICIPALITIES. Notwithstanding section 101.651 (3) (b) of the
22 statutes, as created by this act, if the department of commerce enters into a contract
23 with a municipality before July 1, 2000, to provide inspection services in the
24 municipality under section 101.651 (3) (b) of the statutes, as created by this act, the

1 department shall begin providing the inspection services under the contract no later
2 than July 1, 2000.”.

3 **1597.** Page 1506, line 10: delete “\$1,000,000” and substitute “\$1,500,000”.

4 **1598.** Page 1506, line 18: after that line insert:

5 “3m. The consortium agrees in writing to use 60% of the grant proceeds in
6 Racine County and 40% of the grant proceeds in Kenosha County.”.

7 **1599.** Page 1507, line 1: delete “\$500,000” and substitute “\$750,000”.

8 **1600.** Page 1507, line 9: delete “(c)” and substitute “(fg)”.

9 **1601.** Page 1507, line 12: after that line insert:

10 “(7h) GRANT FOR SWISS CULTURAL CENTER.

11 (a) Subject to paragraph (b), from the appropriation under section 20.143 (1)
12 (km) of the statutes, as created by this act, the department of commerce shall make
13 a grant in fiscal biennium 1999–2001 to an organization known as the Swiss Cultural
14 Center for construction of a Swiss cultural center in the village of New Glarus.

15 (b) The amount of the grant under paragraph (a) may not exceed \$1,000,000.
16 For every dollar received from the state for the project under paragraph (a), the
17 organization shall provide \$2 in matching funds for the project from a source other
18 than the state.

19 (c) Within 6 months after spending the full amount of the grant under
20 paragraph (a), the organization shall submit to the department of commerce a report
21 detailing how the grant proceeds were used.”.

22 **1602.** Page 1507, line 12: after that line insert:

23 “(8gm) GRANT FOR BROWNFIELDS CLEANUP AND PARK.

24 (a) In this subsection:

1 1. “Brownfields” has the meaning given in section 560.13 (1) (a) of the statutes.

2 2. “Department” means the department of commerce.

3 3. “Secretary” means the secretary of commerce.

4 (b) Notwithstanding section 560.13 of the statutes, as affected by this act, from
5 the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act,
6 the department shall make a grant of \$100,000 to a person for the cleanup of a
7 brownfields site in the city of Kenosha and for development of the cleaned-up site
8 as a park if all of the following apply:

9 1. The person submits a plan to the department detailing the proposed use of
10 the grant and the secretary approves the plan.

11 2. The person enters into a written agreement with the department that
12 specifies the conditions for use of the grant proceeds, including reporting and
13 auditing requirements.

14 3. The person agrees in writing to submit to the department the report required
15 under paragraph (c) by the time required under paragraph (c).

16 (c) If a person receives a grant under this subsection, the person shall submit
17 to the department, within 6 months after spending the full amount of the grant, a
18 report detailing how the grant proceeds were used.

19 (d) The department may not pay grant proceeds under this subsection after
20 June 30, 2001.”.

21 **1603.** Page 1507, line 12: after that line insert:

22 “(8e) COMMUNITY DEVELOPMENT BLOCK GRANT FOR DOMESTIC VIOLENCE SHELTER.

23 The department of commerce shall make a grant of \$250,000 in fiscal year
24 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to a

1 county in which a domestic violence shelter is being constructed by the Young
2 Women's Christian Association in a city that is located in the county and that has a
3 population greater than 52,000 but less than 60,000. The county must use the grant
4 proceeds to provide financial assistance to the Young Women's Christian Association
5 for the construction of the domestic violence shelter. Within 6 months after spending
6 the full amount of the grant, the county shall submit to the department of commerce
7 a report detailing how the grant proceeds were spent.”.

8 **1604.** Page 1507, line 12: after that line insert:

9 “(7b) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER WELL.

10 (a) The department of commerce shall make a grant of \$299,000 in fiscal year
11 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to the
12 town of Rib Mountain for drilling a new water well.

13 (b) Within 6 months after spending the full amount of the grant, the town of
14 Rib Mountain shall submit to the department of commerce a report detailing how the
15 grant proceeds were spent.”.

16 **1605.** Page 1507, line 12: after that line insert:

17 “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

18 (a) In this subsection, “board” means the recycling market development board.

19 (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the
20 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

21 1. The commission submits a plan to the board detailing the proposed use of
22 the grant and the board approves the plan.

1 2. The commission enters into a written agreement with the board that
2 specifies the conditions for use of the grant proceeds, including reporting and
3 auditing requirements.

4 3. The commission agrees in writing to submit to the board the report required
5 under paragraph (d) 2. by the time required under paragraph (d) 2.

6 (c) If the board awards a grant under this subsection, the department of
7 commerce shall pay the grant proceeds from the appropriation under section 20.143
8 (1) (tm) of the statutes, as affected by this act.

9 (d) If the commission receives a grant under this subsection, the commission
10 shall do all of the following:

11 1. Use the grant proceeds to determine the feasibility of creating sludge-based
12 products and of marketing those products and to develop markets for the biosolid
13 materials being produced from waste products by the commission.

14 2. Within 6 months after spending the full amount of the grant, submit to the
15 board a report detailing how the grant proceeds were used.

16 (e) The board may not award and the department may not pay grant proceeds
17 under this subsection after June 30, 2001.”.

18 **1606.** Page 1507, line 12: after that line insert:

19 “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

20 (a) The authorized FTE positions for the department of commerce, funded from
21 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0
22 SEG project positions for staff for the recycling market development board.

23 (b) The authorized FTE positions for the department of commerce, funded from
24 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0

1 SEG positions for a loan portfolio manager to manage past and future financial
2 assistance awarded by the recycling market development board and for a commodity
3 specialist to develop and direct strategy for recycling market development.”.

4 **1607.** Page 1507, line 12: after that line insert:

5 “(7bt) LOAN TO CITY BREWERY.

6 (a) Notwithstanding section 560.61 (intro.) of the statutes and section 560.66
7 (1) (intro.) of the statutes, as affected by this act, regardless of whether the
8 development finance board so requests, the department of commerce shall make a
9 loan of \$1,500,000 under section 560.66 of the statutes from the appropriations
10 under section 20.143 (1) (c) and (ie) of the statutes, as affected by this act, to City
11 Brewery in the city of LaCrosse if all of the following apply:

12 1. The proposed recipient submits a plan to the department of commerce
13 detailing the proposed use of the loan and the secretary of commerce approves the
14 plan.

15 2. The proposed recipient enters into a written agreement with the department
16 of commerce that specifies the loan terms and the conditions for use of the loan
17 proceeds, including reporting and auditing requirements.

18 3. The proposed recipient agrees in writing to submit to the department of
19 commerce, within 6 months after spending the full amount of the loan, a report
20 detailing how the loan proceeds were used.

21 (b) The department of commerce shall deposit in the appropriation account
22 under section 20.143 (1) (ie) of the statutes, as affected by this act, any moneys
23 received in repayment of the loan.

1 (c) The department of commerce may not pay loan proceeds under this
2 subsection after June 30, 2001.”.

3 **1608.** Page 1507, line 12: after that line insert:

4 “(7n) ADMINISTRATION OF MOBILE HOMES.

5 (a) The authorized FTE positions for the department of commerce are
6 decreased by 1.6 PR positions funded from the appropriation under section 20.143
7 (3) (j) of the statutes, as affected by this act, for the purpose of administering
8 subchapter V of chapter 101 of the statutes, as affected by this act.

9 (b) The authorized FTE positions for the department of commerce are increased
10 by 1.6 SEG positions, to be funded from the appropriation under section 20.143 (3)
11 (sa) of the statutes, as created by this act, for the purpose of administering
12 subchapter V of chapter 101 of the statutes, as affected by this act.”.

13 **1609.** Page 1507, line 12: after that line insert:

14 “(7v) GRANTS TO CAP SERVICES, INC. From the appropriation under section
15 20.143 (1) (fg) of the statutes, as affected by this act, the department of commerce
16 shall make a grant of \$25,000 in each of fiscal years 1999–2000 and 2000–01 to CAP
17 Services, Inc., for providing technical assistance and management services to small
18 businesses. Within 6 months after spending the full amount of each grant under this
19 subsection, CAP Services, Inc., shall submit a report to the department of commerce
20 detailing how the grant proceeds were used. Any grant awarded to CAP Services,
21 Inc., under section 560.14 of the statutes, as affected by this act, in fiscal year
22 1999–2000 or 2000–01 for providing technical assistance and management services
23 to small businesses may be counted toward satisfying the requirement under this
24 subsection.”.

1 **1610.** Page 1508, line 10: before “108.07 (8) (b),” insert “20.455 (5) (i),”.

2 **1611.** Page 1508, line 13: delete the material beginning with that line and
3 ending with page 1509, line 22.

4 **1612.** Page 1509, line 23: delete the material beginning with that line and
5 ending with page 1511, line 12.

6 **1613.** Page 1511, line 12: after that line insert:

7 “(6e) COMPUTER RECYCLING PROGRAM. The authorized FTE positions for the
8 department of corrections are increased by 4.0 SEG project positions for the period
9 ending on June 30, 2001, to be funded from the appropriation under section 20.410
10 (1) (qm) of the statutes, as created by this act, for the purpose of the department’s
11 computer recycling program.”.

12 **1614.** Page 1511, line 12: after that line insert:

13 “(4xx) CAREGIVER CRIMINAL BACKGROUND CHECKS. The department of corrections,
14 in conjunction with the University of Wisconsin–Madison, shall prepare a report on
15 the correlation between prior convictions and the propensity to commit future acts
16 of abuse, neglect or misappropriation. The department of corrections shall submit
17 the report to the legislature in the manner provided under section 13.172 (3) of the
18 statutes no later than June 30, 2001.”.

19 **1615.** Page 1511, line 15: after that line insert:

20 “(1mm) RESTRUCTURING PUBLIC BROADCASTING AND FUNDING DIGITAL TELEVISION
21 TRANSITION COMMITTEE. There is created a restructuring public broadcasting and
22 funding digital television transition committee, which shall consist of 6 members
23 appointed by the governor, one member appointed by the senate majority leader and
24 one member appointed by the speaker of the assembly. Of the members appointed

1 by the governor, one member shall be appointed from a list of nominees submitted
2 by the Friends of WHA-TV, one member shall be appointed from a list of nominees
3 submitted by the president of the University of Wisconsin System or his or her
4 designee, one member shall be appointed from a list of nominees submitted by the
5 educational communications board, one member shall be appointed from a list of
6 nominees submitted by the state superintendent of public instruction or his or her
7 designee and one member shall be appointed from a list of nominees submitted by
8 the director of the technical college system or his or her designee. The governor shall
9 designate one of the members of the committee as the chairperson. The committee
10 shall recommend legislation for restructuring the organization of public
11 broadcasting in this state and funding the transition to digital television for public
12 broadcasting in this state. On or before January 15, 2000, the committee shall
13 submit the proposed legislation to the governor, and to the legislature for
14 distribution to the appropriate standing committees in the manner provided under
15 section 13.172 (3) of the statutes. The committee shall cease to exist when the
16 committee has submitted the proposed legislation required under this subsection, or
17 on January 15, 2000, whichever occurs sooner.”.

18 **1616.** Page 1511, line 17: after that line insert:

19 “(1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. Notwithstanding the
20 length of terms specified for the members of the private employer health care
21 coverage board under section 15.165 (5) of the statutes, as created by this act, the
22 initial members shall be appointed for the following terms:

23 (a) The members specified under section 15.165 (5) (a) 1., 3. and 7. of the
24 statutes, as created by this act, for terms expiring on May 1, 2002.

1 (b) The members specified under section 15.165 (5) (a) 2., 5. and 8. of the
2 statutes, as created by this act, for terms expiring on May 1, 2003.

3 (c) The members specified under section 15.165 (5) (a) 4. and 6. of the statutes,
4 as created by this act, for terms expiring on May 1, 2004.

5 (2) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYE TRUST FUNDS. The
6 authorized FTE positions for the department of employee trust funds are increased
7 by 3.5 GPR positions on the effective date of this subsection, to be funded from the
8 appropriation under section 20.515 (2) (a) of the statutes, as created by this act, for
9 the purpose of designing and contracting for administrative services for the private
10 employer health care coverage program under subchapter X of chapter 40 of the
11 statutes, as created by this act.

12 (3) GRANT FOR ADMINISTRATION OF PROGRAM.

13 (a) In this subsection:

14 1. “Administrator” means the administrator selected by the department under
15 section 40.98 (2) (a) 2. of the statutes, as created by this act.

16 2. “Department” means the department of employee trust funds.

17 3. “Secretary” means the secretary of employee trust funds.

18 (b) The department shall make a grant of \$200,000 from the appropriation
19 under section 20.515 (2) (b) of the statutes, as created by this act, to the administrator
20 for costs associated with administering the health care coverage plans under the
21 program under subchapter X of chapter 40 of the statutes, as created by this act, if
22 all of the following apply:

23 1. The administrator submits a plan to the department detailing the proposed
24 use of the grant and the secretary approves the plan.

1 2. The administrator enters into a written agreement with the department that
2 specifies the conditions for use of the grant proceeds, including reporting and
3 auditing requirements.

4 3. The administrator agrees in writing to submit to the department the report
5 required under paragraph (c) by the time required under paragraph (c).

6 (c) If the administrator receives a grant under this subsection, the
7 administrator shall submit to the department, within 6 months after spending the
8 full amount of the grant, a report detailing how the grant proceeds were used.”.

9 **1617.** Page 1511, line 17: after that line insert:

10 “(1h) POSITION AUTHORIZATION FOR PROVISION OF BENEFITS. The authorized FTE
11 positions for the department of employe trust funds are increased by 19 SEG project
12 positions for the period ending on June 30, 2001, to be funded from the appropriation
13 under section 20.515 (1) (v) of the statutes, as created by this act, for the purpose of
14 providing benefits under the Wisconsin retirement system.”.

15 **1618.** Page 1511, line 21: after that line insert:

16 “(1w) TRAINING PROGRAMS. The authorized FTE positions for the department of
17 employment relations are increased by 0.5 PR position, to be funded from the
18 appropriation under section 20.512 (1) (jm) of the statutes, for the purpose of
19 providing training services.”.

20 **1619.** Page 1511, line 24: after that line insert:

21 “(1w) DANE COUNTY REGIONAL PLANNING COMMISSION. The governor shall appoint
22 a task force, consisting of 15 members, which shall study, and make
23 recommendations regarding, the creation of a multicounty regional planning

1 commission to replace the Dane County regional planning commission after its
2 dissolution.”.

3 **1620.** Page 1511, line 24: after that line insert:

4 “(1c) POSITION AUTHORIZATIONS. The authorized FTE positions for the office of
5 the governor are increased by 2.0 GPR policy analyst positions on January 1, 2000,
6 to be funded from the appropriation under section 20.525 (1) (a) of the statutes.”.

7 **1621.** Page 1513, line 23: after “statutes” insert “as compared to those costs”.

8 **1622.** Page 1514, line 8: after “services” insert “similar to those”.

9 **1623.** Page 1515, line 2: delete “2” and substitute “4”.

10 **1624.** Page 1516, line 9: delete “September 1, 1999” and substitute “the first
11 day of the 2nd month beginning after the effective date of this subsection”.

12 **1625.** Page 1518, line 10: delete “2001” and substitute “2002”.

13 **1626.** Page 1518, line 14: after that line insert:

14 “(8gm) DNA PROBE MACHINE. From the appropriation under section 20.435 (1)
15 (a) of the statutes, the department of health and human services shall allocate
16 \$250,000 during the fiscal year 1999–2000 to the City of Milwaukee for the purchase
17 of a DNA probe machine.”.

18 **1627.** Page 1519, line 13: delete that line and substitute:

19 “(8mx) HEALTH CARE INFORMATION PROPOSAL.

20 (a) By June 30, 2001, the department of”.

21 **1628.** Page 1519, line 16: after “activities” insert “, except as provided in
22 paragraph (b),”.

23 **1629.** Page 1519, line 19: delete “modify any”.

1 **1630.** Page 1519, line 20: delete “proposal received and may”.

2 **1631.** Page 1520, line 1: on lines 1 and 2, delete “including any proposed
3 modifications of the department of administration” and substitute “as authorized
4 under current law”.

5 **1632.** Page 1520, line 2: before the period insert “, as authorized under
6 current law”.

7 **1633.** Page 1520, line 6: delete “including any proposed modifications of the
8 department of administration,”.

9 **1634.** Page 1520, line 7: after “committee” insert “and as authorized under
10 current law”.

11 **1635.** Page 1520, line 7: after that line insert:

12 “(b) By June 30, 2000, the department of health and family services, the
13 subunit of the department of employee trust funds that deals with health care
14 financing and the office of the commissioner of insurance shall together develop a
15 proposal for consolidation of voluntarily provided health plan data collected by those
16 agencies and a detailed memorandum of understanding for implementing the
17 proposal. If the proposal is acceptable to each agency, the secretary of health and
18 family services, the secretary of employee trust funds and the commissioner of
19 insurance shall sign the memorandum of understanding and submit the proposal,
20 the memorandum of understanding, a report concerning any potential cost savings
21 from the consolidated collection of voluntarily provided health plan data and any
22 proposed legislation required to implement the proposal to the department of
23 administration. The department of administration may approve, disapprove or
24 modify and approve any proposal it receives under this paragraph. If the department

1 of administration approves the proposal, the department shall submit the proposal,
2 together with any modifications the memorandum of understanding, the report and
3 any proposed legislation to the cochairpersons of the joint committee on finance. If
4 the cochairpersons of the committee do not notify the secretary of administration
5 within 14 working days after receiving the proposal that the cochairpersons have
6 scheduled a meeting for the purpose of reviewing the proposal, the department of
7 administration may approve any proposed expenditure and position authority
8 contained in the proposal and any modifications of the proposal to the extent
9 authorized under current law. If, within 14 working days after receiving the
10 proposal, the cochairpersons notify the secretary of administration that the
11 cochairpersons have scheduled a meeting for the purpose of reviewing the proposal,
12 the department of administration may not approve the proposed expenditure and
13 position authority contained in the proposal any proposed modifications of the
14 proposal, except as approved by the committee and to the extent authorized under
15 current law. If the proposal, as approved by the department of administration and
16 the committee, if the committee approves the proposal, is not consistent with the
17 memorandum of understanding, the department of health and human services, the
18 subunit of the department of employee trust funds and the commissioner of insurance
19 shall enter into a revised memorandum of understanding that is consistent with the
20 approved proposal.”.

21 **1636.** Page 1520, line 8: delete lines 8 to 16.

22 **1637.** Page 1521, line 11: delete “PAYMENT; WAGE OR SALARY AND FRINGE
23 BENEFITS SUPPLEMENT” and substitute “PAYMENTS; WAGE OR SALARY AND FRINGE BENEFITS
24 SUPPLEMENTS”.

1 **1638.** Page 1521, line 14: after “to increase” insert “, beginning July 1, 1999,”.

2 **1639.** Page 1521, line 22: delete “subsection” and substitute “paragraph”.

3 **1640.** Page 1522, line 3: delete “(b)” and substitute “(am)”.

4 **1641.** Page 1522, line 5: delete “examine facility cost reports covering”.

5 **1642.** Page 1522, line 6: delete lines 6 to 8.

6 **1643.** Page 1522, line 9: delete “during state fiscal year 1998–99” and
7 substitute “prepare a supplemental application form for completion by facilities in
8 applying for the supplement”.

9 **1644.** Page 1522, line 11: delete “over the base year” and substitute “during
10 the period after June 30, 1999, and before July 1, 2000,”.

11 **1645.** Page 1522, line 24: after that line insert:

12 “(b) In addition to any facility payment rate increases for state fiscal years
13 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m)
14 (a) 3. of the statutes, to increase, beginning July 1, 1999, wages or salaries and fringe
15 benefits for or increase staff hours of housekeeping and laundry workers, dietitians
16 and food workers, as determined by the department of health and family services,
17 from the appropriations under section 20.435 (4) (b) and (o) of the statutes the
18 department shall, beginning October 1, 1999, supplement facility payment rates
19 under section 49.45 (6m) (av) of the statutes by an amount not to exceed \$3,562,300
20 in state fiscal year 1999–2000 and \$4,749,800 in state fiscal year 2000–01, or by
21 multiplying the total amount of the wages reported in the 1998 cost reports of
22 facilities by the percentage obtained under paragraph (bg), whichever is less. The
23 department shall calculate each facility’s maximum payment per patient day under

1 this paragraph by multiplying by the percentage obtained under paragraph (bg) the
2 amount obtained by dividing the total of the facility's housekeeping and laundry
3 workers', dieticians' and food workers' wages or salaries by the total number of
4 patient days of the facility, as indicated by the facility's 1998 cost reports. Each
5 facility may apply to the department for up to the total maximum amount per patient
6 day calculated for the facility and receive that supplemental amount for each medical
7 assistance day of service provided.

8 (bg) The department of health and family services shall determine what
9 percentage of the total amount of facilities' wages for housekeeping and laundry
10 workers, dietitians and food workers reported in the 1998 cost reports of facilities
11 will, in the best estimation of the department, most nearly equal the specified
12 amounts of moneys under paragraph (b).

13 (bm) In order to ensure that a supplement provided to a facility under
14 paragraph (b) was expended in accordance with the purpose specified in paragraph
15 (b), the department of health and family services shall prepare a supplemental
16 application form for completion by facilities in applying for the supplement, to
17 determine whether the facility's housekeeping and laundry workers', dietitians' and
18 food workers', wage or salary and fringe benefits costs per patient day have increased
19 during the period after June 30, 1999, and before July 1, 2000, by a percentage that
20 is at least equal to the percentage of increase obtained under paragraph (bg). The
21 department shall adjust the required percentage increase to account for all of the
22 following:

23 1. Any payment rate increase or decrease applicable to the facility that is in
24 effect beginning July 1, 1999, and is other than the supplement under paragraph (b).

1 2. The fact that the wage supplement percentage increase is based only on
2 wages and salaries, while the cost comparison also includes fringe benefits.

3 3. Any decrease or increase in the facility's expenditures for contracted labor
4 services.

5 4. Any change in the facility's patient acuity levels.

6 5. Whether or not the facility's reporting period corresponds to the supplement
7 payment period.

8 6. Any other factor that the department determines is relevant and that is
9 readily available in the data base of the department.”.

10 **1646.** Page 1523, line 3: delete “(b)” and substitute “(am) or that a
11 supplement under paragraph (b) provided to a facility was not expended as required
12 under paragraph (bm)”.

13 **1647.** Page 1523, line 12: delete lines 12 to 21.

14 **1648.** Page 1525, line 21: delete lines 21 to 25.

15 **1649.** Page 1526, line 1: delete lines 1 to 5 and substitute:

16 “(11t) KINSHIP CARE ADMINISTRATION. The authorized FTE positions for the
17 department of health and family services are increased by 1.0 PR position on October
18 1, 1999, or on the effective date of this subsection, whichever is later, to be funded
19 from the appropriation under section 20.435 (3) (kx) of the statutes, for the purpose
20 of providing increased oversight of the kinship care program under section 48.57
21 (3m) to (3t) of the statutes, as affected by this act. The 1.0 FTE PR position shall
22 provide program oversight and monitoring, serve as a liaison to the department of
23 workforce development and the bureau of Milwaukee child welfare services in the

1 department of health and family services and develop policies and procedures
2 relating to the kinship care program.”.

3 **1650.** Page 1526, line 5: after that line insert:

4 “(13c) MANAGED CARE PILOT PROGRAM FOR CHILDREN IN OUT-OF-HOME CARE IN
5 MILWAUKEE COUNTY. The department of health and family services shall develop a
6 pilot program that integrates the social, behavioral and physical health needs of
7 children placed in out-of-home care in Milwaukee County who are medical
8 assistance recipients under a managed care system. By January 1, 2001, the
9 department of health and family services shall request from the secretary of the
10 federal department of health and human services any waivers of the federal medical
11 assistance statutes and regulations that are necessary to implement the pilot
12 program developed under this subsection as part of the medical assistance program.
13 If all necessary waivers are granted and in effect, the department shall implement
14 the pilot program developed under this subsection in Milwaukee County. Under that
15 pilot program, the department of health and family services may require, consistent
16 with section 49.45 (9) of the statutes, a child who is placed in out-of-home care in
17 Milwaukee County to be enrolled in a managed care plan as a condition of receiving
18 medical assistance. Of the amounts appropriated to the department of health and
19 family services under section 20.435 (4) (n) of the statutes, as created by this act, that
20 department shall expend \$22,600 in fiscal year 1999–2000 and \$25,600 in fiscal year
21 2000–01 to increase the authorized FTE positions for that department by 0.5 FED
22 project position, for the period ending on June 30, 2001, for the purpose of developing
23 the pilot program under this subsection.”.

24 **1651.** Page 1526, line 5: after that line insert:

1 “(12g) INITIAL APPOINTMENTS OF INDEPENDENT REVIEW BOARD. Notwithstanding
2 the length of terms specified in section 15.195 (9) (intro.) of the statutes, as created
3 by this act, the initial members of the independent review board shall be appointed
4 by the first day of the 4th month beginning after the effective date of this subsection
5 for the following terms:

6 (a) The purchaser of health care, for a term expiring on May 1, 2001.

7 (b) The medical ethicist and the privacy expert, for terms expiring on May 1,
8 2003.

9 (c) The statistician or researcher, for a term expiring on May 1, 2005.”.

10 **1652.** Page 1526, line 5: after that line insert:

11 “(14g) COMMUNITY MARRIAGE POLICY PROJECT. The authorized FTE positions for
12 the department of health and family services are increased by 1.0 PR project position,
13 to be funded from the appropriation under section 20.435 (3) (kx) of the statutes for
14 the period beginning on the first day of the 2nd month beginning after the effective
15 date of this subsection, and ending on September 30, 2003. The positions are
16 increased under this subsection for the purpose of coordinating the development of,
17 and assisting local members of the clergy to develop, community-wide standards for
18 marriages solemnized in this state by members of the clergy.”.

19 **1653.** Page 1526, line 5: after that line insert:

20 “(13d) SCHOOL MEDICAL SERVICES UNDER MEDICAL ASSISTANCE.

21 (a) In state fiscal years 1999–2000 and 2000–01, the department of health and
22 family services shall, under section 49.45 (39) (b) of the statutes, reimburse a school
23 district and a cooperative educational service agency and shall reimburse the
24 department of public instruction for the Wisconsin Center for the Blind and Visually

1 Impaired and the Wisconsin School for the Deaf, for 90% of the federal share received
2 for school-based services under the medical assistance program in excess of
3 \$16,100,000. The reimbursement shall be based on the proportion of total
4 school-based services for the school year that was provided by each school district,
5 cooperative educational service agency, the Wisconsin Center for the Blind and
6 Visually Impaired and the Wisconsin School for the Deaf.

7 (b) The department of health and family services shall submit, as part of its
8 2001–03 biennial budget request, a proposal to the department of administration for
9 fiscal years after state fiscal year 2000–01, to increase the percentage of the federal
10 share received for school-based services under the medical assistance program by
11 which reimbursement is made under section 49.45 (39) (b) of the statutes to reflect
12 the total percentage of the federal share for which school districts, cooperative
13 educational service agencies and the department of public instruction on behalf of
14 the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School
15 for the Deaf were reimbursed in state fiscal year 1999–2000.”.

16 **1654.** Page 1526, line 5: after that line insert:

17 “(12m) GRANT FOR ST. CLARE HEALTH MISSION. The department of health and
18 family services shall award a grant of \$50,000 in fiscal year 1999–2000 from the
19 amount appropriated under section 20.435 (4) (gp) of the statutes, as affected by this
20 act, to Franciscan Skemp Health Care, Inc., for health care and disease management
21 services provided by the St. Clare Health Mission.”.

22 **1655.** Page 1526, line 5: after that line insert:

23 “(14e) PRIMARY HEALTH CARE. In state fiscal year 1999–2000, in addition to the
24 moneys appropriated for expenditure for that fiscal year, the department of health

1 and family services shall expend for the purchase of primary health care services
2 under section 146.93 of the statutes, as affected by this act, \$300,000 of the
3 unencumbered balance as of June 30, 1999, in the appropriation under section
4 20.435 (4) (gp) of the statutes, as affected by this act.”.

5 **1656.** Page 1526, line 5: after that line insert:

6 “(13e) ADMINISTRATION OF THE STATE SUPPLEMENT TO SUPPLEMENTAL SECURITY
7 INCOME. Not later than March 1, 2000, the department of health and family services
8 shall submit a request to the joint committee on finance under section 13.10 of the
9 statutes to transfer \$232,400 not later than June 30, 2000, and \$232,400 not later
10 than June 30, 2001, from any appropriation for the department, other than a sum
11 sufficient appropriation, to the appropriation account under section 20.435 (6) (ee)
12 of the statutes for the purpose for which the appropriation is made.”.

13 **1657.** Page 1526, line 6: after that line insert:

14 “(1x) GRANT TO PORTAGE COUNTY HISTORICAL SOCIETY. In the 1999–2001 fiscal
15 biennium, the historical society shall award a grant to the Portage County historical
16 society for continuation of the Plover Heritage Park restoration project. The amount
17 of the grant shall be equal to the amount of local contributions toward the project,
18 not to exceed \$50,000. The historical society shall award the grant from the
19 appropriation under section 20.245 (3) (b) of the statutes, as created by this act.”.

20 **1658.** Page 1526, line 15: after that line insert:

21 “(4g) RULES ON POINT-OF-SERVICE OPTION PLANS. The commissioner of insurance
22 shall submit in proposed form the rules required under section 609.10 (6) of the
23 statutes, as created by this act, to the legislative council staff under section 227.15

1 (1) of the statutes no later than the first day of the 12th month beginning after the
2 effective date of this subsection.”.

3 **1659.** Page 1526, line 23: after that line insert:

4 “(2g) OPERATING EXPENDITURES FOR INVESTMENT BOARD DURING THE 1999–2000
5 FISCAL YEAR.

6 (a) In this subsection, “operating expenditures” include all costs and expenses
7 incurred by the investment board for the purpose of operating the board and
8 managing the assets of each fund for which the board has management
9 responsibility, but does not include costs or expenses incurred under section 25.18
10 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.) of the statutes.

11 (b) Notwithstanding section 25.187 of the statutes, as created by this act, no
12 later than the first day of the 2nd month that occurs after the effective date of this
13 paragraph, the investment board shall estimate the amounts required for its
14 operating expenditures for the 1999–2000 fiscal year and shall assess each fund for
15 which the board has management responsibility for its share of the estimated
16 operating expenditures in an equitable manner. The board shall pay the assessment
17 from the current income of each fund, unless an appropriation is made for payment
18 of the assessment, in which case the assessment shall be paid from that
19 appropriation account. The total amount that the board may assess the funds for
20 which the board has management responsibility for the 1999–2000 fiscal year may
21 not exceed \$14,498,600. For the purposes of this paragraph, the board shall
22 determine the total market value of the assets of the funds according to the
23 methodology used to determine the market value of the fixed retirement investment
24 trust under section 25.17 (14) of the statutes.

1 (c) The investment board shall transmit a notice of each assessment to each
2 fund at the time that the assessment is made, and shall transmit a statement of the
3 board's actual expenditures for management of each fund at the close of the
4 1999–2000 fiscal year both to the state agency having primary responsibility for
5 expenditure of principal or earnings of the fund and to the department of
6 administration or, if there is no state agency, only to the department of
7 administration.”.

8 **1660.** Page 1527, line 15: after that line insert:

9 “(2m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
10 COMPLAINTS. Not later than the first day of the 13th month after the effective date
11 of this subsection, the department of justice shall enter into a memorandum of
12 understanding with the department of agriculture, trade and consumer protection
13 and the public service commission for the purpose of coordinating each party's efforts
14 to respond to and address consumer complaints regarding telecommunication
15 services.”.

16 **1661.** Page 1527, line 15: after that line insert:

17 “(2e) GAMING LAW ENFORCEMENT POSITION AUTHORIZATION. The authorized FTE
18 positions for the department of justice are increased by 2.75 GPR positions to be
19 funded from the appropriation under section 20.455 (2) (fm) of the statutes, as
20 created by this act, for the purpose of gaming law enforcement.”.

21 **1662.** Page 1530, line 18: after “care.” insert “The evaluation shall compare
22 the costs of care in a nursing home, as defined in section 50.01 (3) of the statutes, to
23 the costs of care in a community setting and shall provide a breakdown of individual
24 costs involved.”.

1 **1663.** Page 1530, line 23: substitute “July” for “January”.

2 **1664.** Page 1530, line 23: after that line insert:

3 “(4c) GRADUATE MEDICAL EDUCATION STUDY. The joint legislative council is
4 requested to conduct a study to explore funding sources alternative to assessments
5 imposed on hospitals to support the training of providers that serve medical
6 assistance recipients or practice in areas of the state that have a shortage of health
7 care providers, including the feasibility of establishing a trust fund for graduate
8 medical education to provide a broadly based funding source of state, federal and
9 private funds. If the joint legislative council conducts the study, it shall report its
10 findings, conclusions and recommendations to the legislature in the manner
11 provided under section 13.172 (2) of the statutes by January 1, 2001.”.

12 **1665.** Page 1531, line 11: after that line insert:

13 “(2e) BADGER CHALLENGE PROGRAM. The authorized FTE positions for the
14 department of military affairs are increased by 0.90 GPR position, to be funded from
15 the appropriation under section 20.465 (4) (b) of the statutes, and 0.10 PR position,
16 to be funded from the appropriation under section 20.465 (4) (k) of the statutes, for
17 a mentorship coordinator in the Badger Challenge program. In 2000–01 the
18 authorized FTE positions for the department of military affairs are decreased by 0.15
19 GPR position and increased by 0.15 PR position to reflect modified funding of the
20 mentorship coordinator position.”.

21 **1666.** Page 1532, line 7: after that line insert:

22 “(2e) STUDY OF LANDFILL REMEDIATION. The department of natural resources
23 shall enter into a contract for a study of the landfill cleanup issue in this state. The
24 study shall identify all closed landfills and estimate the cost of remedial action at all

1 of those landfills. The department of natural resources shall also identify potential
2 mechanisms for funding that remedial action, including mechanisms used
3 successfully in other states. The department shall report the results of the study to
4 the legislature in the manner provided under section 13.172 (2) of the statutes no
5 later than January 1, 2001.”.

6 **1667.** Page 1532, line 7: after that line insert:

7 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
8 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
9 for purposes of the 2001–03 biennial budget bill, the department of natural resources
10 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
11 the statutes that is \$325,000 less than the total amount appropriated under section
12 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any
13 information relating to any increase or decrease in the dollar amount for that
14 appropriation for the 2001–03 fiscal biennium.”.

15 **1668.** Page 1533, line 14: delete “February” and substitute “May”.

16 **1669.** Page 1533, line 18: delete “February” and substitute “May”.

17 **1670.** Page 1538, line 23: delete “September 1, 1999” and substitute “the first
18 day of the first month beginning after the effective date of this paragraph”.

19 **1671.** Page 1538, line 24: after that line insert:

20 “(9c) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
21 appropriation account under section 20.370 (6) (br) of the statutes, the department
22 of natural resources shall award the following grants to the Wheelchair Recycling
23 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
24 for the purpose of opening a facility in Milwaukee for refurbishing used wheelchairs

1 and other mobility devices and returning them to use by persons who otherwise
2 would not have access to needed or appropriate equipment:

3 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
4 from any source by June 15, 2000.

5 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
6 from any source by June 15, 2001, in addition to the \$100,000 required under
7 paragraph (a).”.

8 **1672.** Page 1539, line 25: after that line insert:

9 “(9f) RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the appropriation under
10 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
11 natural resources shall provide \$350,000 to the city of Janesville for a project to
12 develop the riverfront parkway that includes the development of a marina with a
13 boat launch and transient boat slips. The amount expended under this subsection
14 shall be considered an expenditure for an inland water project under section 30.92
15 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the
16 statutes, the project specified under this subsection qualifies as a recreational
17 boating project for the purpose of expending moneys under this subsection.
18 Notwithstanding section 30.92 (4) (b) 2. of the statutes, the city of Janesville need not
19 contribute any moneys to match the amount expended from the appropriation under
20 section 20.370 (5) (cq) of the statutes. This project need not be placed on the priority
21 list under section 30.92 (3) (a) of the statutes. This subsection does not apply after
22 June 30, 2001.”.

23 **1673.** Page 1539, line 25: after that line insert:

1 “(9g) MILWAUKEE HARBOR PROJECT. From the appropriation under section 20.370
2 (5) (cq) of the statutes, as affected by this act, the department of natural resources
3 shall provide to Milwaukee County funding for a dredging project of a navigable
4 channel on Lake Michigan within Milwaukee harbor. Milwaukee County and the
5 department shall contribute funding for the project. The department shall
6 contribute funding for the project equal to 50% of the project’s cost or \$212,000,
7 whichever is less. Milwaukee County’s contribution may be in matching funds or
8 may be in-kind contributions or both. The amount expended under this subsection
9 shall be considered an expenditure for a Great Lakes project as provided in section
10 30.92 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 7. or 8. of the
11 statutes, the dredging project specified under this subsection qualifies as a
12 recreational boating project for the purpose of expending moneys under this
13 subsection. The project need not be placed on the priority list under section 30.92 (3)
14 (a) of the statutes. This subsection does not apply after June 30, 2000.”.

15 **1674.** Page 1539, line 25: after that line insert:

16 “(9s) KEMPER CENTER EROSION CONTROL STUDY. From the appropriation under
17 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
18 natural resources shall provide to Kenosha County \$50,000 for an erosion control
19 study under section 30.92 (2) of the statutes of a park owned by Kenosha County that
20 is located on the shores of Lake Michigan in the city of Kenosha and that is known
21 as Kemper Center. Notwithstanding section 30.92 (4) (b) 2. of the statutes, Kenosha
22 County need not contribute any moneys to match the amount expended from the
23 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. The

1 Wisconsin waterways commission need not approve the study under section 30.92
2 (2) (a) of the statutes. This subsection does not apply after June 30, 2000.”.

3 **1675.** Page 1541, line 2: after that line insert:

4 “(10v) ADMINISTRATIVE FUNDING LIMIT. The department of natural resources
5 shall, on or before April 1, 2000, under section 13.101 of the statutes, request that
6 the joint committee on finance change the authorized level of full-time equivalent
7 positions in the department, or portions of those positions, and transfer funds
8 between appropriations as a result of the expenditure limit imposed under section
9 25.29 (3m) of the statutes, as created by this act. Notwithstanding section 13.101 (3)
10 (a) of the statutes, the committee is not required to find that an emergency exists
11 before acting upon any such request.”.

12 **1676.** Page 1541, line 3: delete lines 3 to 10.

13 **1677.** Page 1541, line 10: after that line insert:

14 “(10z) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
15 natural resources shall set aside in fiscal year 1999–2000, from the appropriation
16 under section 20.370 (5) (cq) of the statutes, as affected by this act, \$300,000 for the
17 Southeastern Wisconsin Fox River commission. The commission may use these
18 funds for its activities authorized under subchapter VI of chapter 33 of the statutes
19 and for providing matching funding for any grants that the commission may be able
20 to obtain. This subsection does not apply after June 30, 2001.”.

21 **1678.** Page 1541, line 10: after that line insert:

22 “(11d) SCENIC DEVELOPMENT ALONG ST. CROIX. From the appropriation under
23 section 20.370 (5) (bw) of the statutes, the department of natural resources in fiscal
24 year 1999–2000 shall provide an urban forestry grant of \$10,000 to the city of Hudson

1 for scenic development along the St. Croix River adjacent to the wastewater
2 treatment plant that is located on STH 35. The scenic development is considered to
3 be a tree project for purposes of section 23.097 of the statutes. The city of Hudson
4 does not need to contribute any matching funding for this grant.”.

5 **1679.** Page 1541, line 10: after that line insert:

6 “(11g) FORESTRY DIVISION POSITION. The authorized FTE positions for the
7 department of natural resources are increased by 1.0 SEG position, to be funded from
8 the appropriation under section 20.370 (1) (mu) of the statutes for the purpose of the
9 administration of the division of forestry in the department of natural resources.”.

10 **1680.** Page 1541, line 10: after that line insert:

11 “(11m) USE OF TRUST FUND. The department of natural resources may not direct
12 that any funds in the trust fund established under the case of *State v. Menard, Inc.*,
13 Eau Claire County Circuit Court case number 97 CF 657, be used to provide grants
14 for municipal household hazardous waste disposal programs until the joint
15 committee on finance approves an expenditure plan for those funds. The department
16 shall ensure that any funds remaining in the trust fund on December 31, 2002, are
17 paid into the common school fund.”.

18 **1681.** Page 1542, line 9: delete lines 9 to 13.

19 **1682.** Page 1542, line 13: after that line insert:

20 “(2g) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for
21 the department of public instruction, funded from the appropriation under section
22 20.255 (1) (q) of the statutes, are increased by 1.0 SEG position for an agricultural
23 education consultant.”.

24 **1683.** Page 1542, line 13: after that line insert:

1 “(3x) RESIDENTIAL SCHOOL PLANNING GRANT.

2 (a) Notwithstanding section 118.153 (4) (b) of the statutes, the department of
3 public instruction shall withhold from the school board of the school district
4 operating under chapter 119 of the statutes \$100,000 of the amount to which the
5 school board is entitled under that section in the 1999–2000 fiscal year.

6 (b) From the appropriation under section 20.255 (2) (bc) of the statutes, as
7 affected by this act, the department of public instruction shall award a grant of
8 \$100,000 to the Foundation of Schools for Educational Evolution and Development
9 for the purpose of planning a residential school in southeastern Wisconsin.”.

10 **1684.** Page 1542, line 13: after that line insert:

11 “(2c) TRANSITION PLAN; WISCONSIN CENTER FOR THE BLIND AND VISUALLY IMPAIRED.
12 The state superintendent of public instruction shall prepare a transition plan that
13 sets forth specific funding and staffing recommendations for the operation of the
14 Wisconsin Center for the Blind and Visually Impaired and describe the appropriate
15 steps for phasing in the appropriate program modifications. The state
16 superintendent shall consult with the blind and visual impairment education council
17 in the preparation of the plan. The blind and visual impairment education council
18 shall review the plan. The state superintendent shall submit the plan to the
19 governor no later than the first day of the 7th month beginning after the effective
20 date of this subsection. The state superintendent shall also simultaneously submit
21 a copy of the plan to the legislature in the manner provided under section 13.172 (2)
22 of the statutes.

23 (2cc) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. Notwithstanding the
24 length of term specified in section 15.377 (1) (c) of the statutes, as affected by this act,

1 the initial members of the blind and visual impairment education council appointed
2 under section 15.377 (1) (c) 4. and 7. of the statutes, as affected by this act, one of the
3 members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this
4 act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as
5 affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of
6 the statutes, as affected by this act, and one of the members appointed under section
7 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring
8 on July 1, 2000; the initial members appointed under section 15.377 (1) (c) 5. and 8.
9 of the statutes, as affected by this act, one of the members appointed under section
10 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed
11 under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the
12 members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this
13 act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes,
14 as affected by this act, shall serve for terms expiring on July 1, 2001, and the initial
15 member appointed under section 15.377 (1) (c) 6. of the statutes, as affected by this
16 act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as
17 affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of
18 the statutes, as affected by this act, one of the members appointed under section
19 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members
20 appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall
21 serve for terms expiring on July 1, 2002.”.

22 **1685.** Page 1542, line 13: after that line insert:

23 “(2d) STATE AID FOR DEBT SERVICE. Notwithstanding section 67.05 (6a) (a) 2. and
24 (b) of the statutes, a school board shall hold a referendum before June 30, 2001, on

1 an initial resolution to raise an amount of money by a bond issue if any portion of
2 bond proceeds are to be used to fulfill a contract under section 118.43 of the statutes.
3 The copy of the resolution included in the ballot shall identify the amount of the bond
4 proceeds that will be used to fulfill the contract under section 118.43 of the statutes.”.

5 **1686.** Page 1542, line 13: after that line insert:

6 “(3d) HIGH SCHOOL GRADUATION EXAMINATION. The authorized FTE positions for
7 the department of public instruction are increased by 4.0 GPR project positions, to
8 be funded from the appropriation under section 20.255 (1) (dw) of the statutes, for
9 the purpose of developing the high school graduation examination, for the period
10 beginning on January 1, 2000, and ending on December 31, 2001.”.

11 **1687.** Page 1544, line 8: after that line insert:

12 “(5m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
13 COMPLAINTS. Not later than the first day of the 13th month after the effective date
14 of this subsection, the public service commission shall enter into a memorandum of
15 understanding with the department of agriculture, trade and consumer protection
16 and the department of justice for the purpose of coordinating each party’s efforts to
17 respond to and address consumer complaints regarding telecommunication
18 services.”.

19 **1688.** Page 1544, line 8: after that line insert:

20 “(2zt) RENEWABLE RESOURCES, ENVIRONMENTAL IMPACT AND RELIABILITY STATUS
21 RULES.

22 (a) Using the procedure under section 227.24 of the statutes, the public service
23 commission shall promulgate the rules required under sections 196.025 (2) and (3)
24 and 196.378 (3) (a) of the statutes, as created by this act, for the period before the

1 effective date of the permanent rules promulgated under that section, but not to
2 exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
3 Notwithstanding section 227.24 (1) and (3) of the statutes, the commission is not
4 required to make a finding of emergency.

5 (b) The public service commission shall submit in proposed form the rules
6 required under sections 196.025 (2) and (3) and 196.378 (3) (a) of the statutes, as
7 created by this act, to the legislative council staff under section 227.15 (1) of the
8 statutes no later than the first day of the 6th month beginning after the effective date
9 of this paragraph.”.

10 **1689.** Page 1544, line 21: after that line insert:

11 “(2t) INITIAL APPOINTMENTS TO THE ATHLETIC TRAINERS AFFILIATED CREDENTIALING
12 BOARD.

13 (a) Notwithstanding section 15.406 (4) of the statutes, as created by this act,
14 the initial athletic trainer members of the athletic trainers affiliated credentialing
15 board need not be licensed under subchapter VI of chapter 448 of the statutes, as
16 created by this act, to be appointed to and serve as members of the affiliated
17 credentialing board until the first day of the 13th month beginning after the effective
18 date of this paragraph.

19 (b) Notwithstanding section 15.406 (4) of the statutes, as created by this act,
20 the initial members of the athletic trainers affiliated credentialing board shall be
21 appointed by the first day of the 4th month beginning after the effective date of this
22 paragraph for the following terms:

1 1. One athletic trainer member and one member who is licensed to practice
2 medicine and surgery under subchapter II of chapter 448 of the statutes, for terms
3 expiring on July 1, 2000.

4 2. One athletic trainer member, for a term expiring on July 1, 2001.

5 3. One public member and one athletic trainer member, for terms expiring on
6 July 1, 2002.

7 4. One athletic trainer member, for a term expiring on July 1, 2003.”.

8 **1690.** Page 1545, line 18: after that line insert:

9 “(3b) REAL ESTATE TRANSFER FORM.

10 (a) The department of revenue shall identify nonessential items on the real
11 estate transfer form and, based on that identification, develop a simplified real estate
12 transfer form.

13 (b) By January 1, 2000, the department of revenue shall submit the simplified
14 real estate transfer form developed under paragraph (a) to the cochairpersons of the
15 joint committee on finance. If the cochairpersons of the committee do not notify the
16 department within 14 working days after the date of the form’s submittal that the
17 committee has scheduled a meeting for the purpose of reviewing the form, the form
18 may be implemented as proposed by the department. If, within 14 working days after
19 the date of the form’s submittal, the cochairpersons of the committee notify the
20 department that the committee has scheduled a meeting for the purpose of reviewing
21 the proposed form, the form may be implemented only upon approval of the
22 committee.”.

23 **1691.** Page 1545, line 18: after that line insert:

1 “(3g) POSITION INCREASES, BUSINESS TAX REGISTRATION SYSTEM. The authorized
2 FTE positions for the department of revenue are increased by 3.0 PR positions, to be
3 funded from the appropriation under section 20.566 (1) (gb) of the statutes, for the
4 purpose of performing duties related to the business tax registration system.”.

5 **1692.** Page 1545, line 18: after that line insert:

6 “(3h) TRANSFERS TO LOTTERY FUND.

7 (a) There is transferred from the appropriation account under section 20.505
8 (8) (g) of the statutes to the lottery fund an amount equal to the unencumbered
9 balance in the appropriation account under section 20.505 (8) (g), 1997 stats., on
10 June 30, 1999, after the amounts were transferred under section 20.505 (8) (g) 1. and
11 1r., 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997
12 stats., on June 30, 1999.

13 (b) There is transferred from the general fund to the lottery fund an amount
14 equal to the sum of the amounts transferred under section 20.505 (8) (g) 1. and 1r.,
15 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997 stats.,
16 on June 30, 1999.”.

17 **1693.** Page 1545, line 18: after that line insert:

18 “(3d) RECYCLING SURCHARGE; RULES.

19 (a) The department of revenue shall submit in proposed form rules to define
20 “gross receipts” under subchapter VII of chapter 77 of the statutes, as affected by this
21 act, to the legislative council staff under section 227.15 (1) of the statutes no later
22 than the first day of the 4th month beginning after the effective date of this
23 paragraph.

1 (b) Using the procedure under section 227.24 of the statutes, the department
2 of revenue may promulgate rules to define “gross receipts” under subchapter VII of
3 chapter 77 of the statutes, as affected by this act, for the period before the effective
4 date of the rules submitted under paragraph (a), but not to exceed the period
5 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
6 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
7 to provide evidence that promulgating a rule under this paragraph as an emergency
8 rule is necessary for the preservation of the public peace, health, safety or welfare
9 and is not required to provide a finding of emergency for a rule promulgated under
10 this paragraph.

11 (3dm) RECYCLING SURCHARGE; ADMINISTRATION. The authorized FTE positions for
12 the department of revenue are increased by 1.5 SEG positions, to be funded from the
13 appropriation under section 20.566 (1) (q) for the purpose of administering
14 subchapter VII of chapter 77 of the statutes, as affected by this act.”.

15 **1694.** Page 1545, line 18: after that line insert:

16 “(3e) LOTTERY GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The
17 authorized FTE positions for the department of revenue are increased by 110.5 GPR
18 positions to be funded from the appropriation under section 20.566 (8) (a) of the
19 statutes, as created by this act, for the purpose of conducting general program
20 operations for the lottery.

21 (3f) LOTTERY AND GAMING CREDIT POSITION AUTHORIZATION. The authorized FTE
22 positions for the department of revenue are increased by 3.0 GPR positions to be
23 funded from the appropriation under section 20.566 (2) (am) of the statutes, as
24 created by this act, for the purpose of administering the lottery and gaming credit.

1 (3g) TRANSFER TO LOTTERY FUND. The legislature intends that the amounts
2 transferred from the general fund to the lottery fund under SECTION 9243 (2c) of this
3 act, be used to reimburse the lottery fund for expenditures made from October 1,
4 1995, to June 30, 1999, from the appropriations under section 20.455 (2) (r), 1995
5 stats., section 20.566 (2) (r), 1995 stats., section 20.566 (8) (q), (r) and (v), 1995 stats.,
6 section 20.835 (2) (q), 1995 stats., section 20.455 (2) (r), 1997 stats., section 20.566
7 (2) (r), 1997 stats., section 20.566 (8) (q), (r) and (v), 1997 stats., and section 20.835
8 (2) (q), 1997 stats.”.

9 **1695.** Page 1545, line 18: after that line insert:

10 “(3c) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal
11 Revenue Code made by Public Laws 105–178, 105–206 and 105–277 apply to the
12 definitions of “Internal Revenue Code” in chapter 71 of the statutes, as affected by
13 this act, at the time that the changes apply for federal income tax purposes.”.

14 **1696.** Page 1545, line 18: after that line insert:

15 “(3mv) SHARED REVENUE DISTRIBUTION.

16 (a) Notwithstanding section 79.03 of the statutes, for the year 2000, the
17 department of revenue shall calculate the shared revenue payments under section
18 79.03 (4) of the statutes, as affected by this act, based on the total shared revenue
19 distribution to municipalities of \$761,478,000 and the total shared revenue
20 distribution to counties of \$168,981,800. The department of revenue shall then
21 increase the shared revenue payments for all municipalities and counties by a
22 uniform percentage so that the total amount of shared revenue payments under
23 section 79.03 (4) of the statutes distributed to municipalities is \$776,707,600 in the

1 year 2000 and the total amount of shared revenue payments under section 79.03 (4)
2 of the statutes distributed to counties is \$172,361,400.

3 (b) For purposes of calculating the shared revenue distribution to
4 municipalities and counties in 2001, the base amount for determining the minimum
5 and maximum entitlement under section 79.03 (3c) of the statutes is the total shared
6 revenue distribution in the year 2000 as determined under paragraph (a), less the
7 utility aid payments under section 79.04 of the statutes.”.

8 **1697.** Page 1546, line 8: after that line insert:

9 “(2f) STUDY AND REPORT ON METHODS OF JUDGE SELECTION.

10 (a) In this subsection, “minority group member” has the meaning given in
11 section 560.036 (1) (f) of the statutes.

12 (b) A committee composed of the chief justice of the supreme court, the chief
13 judge of the 1st judicial administrative district, 3 judges appointed by the chief
14 justice, one of whom shall be a minority group member, and 4 public members
15 appointed by the governor, 2 of whom shall be minority group members, shall study
16 judicial subdistricts and other methods of judge selection that would result in
17 increased racial and ethnic diversity of the judges in the courts. The governor shall
18 designate the chair of the committee. The chief judge of the 1st judicial
19 administrative district shall be the vice chair of the committee. No later than
20 December 31, 2000, the committee shall submit a report on its findings and
21 recommendations to the governor, the supreme court and to appropriate standing
22 committees of the senate and assembly in the manner specified in section 13.172 (3)
23 of the statutes. The director of state courts shall provide staff services to the
24 committee. Members of the committee shall be reimbursed for actual and necessary

1 expenses incurred in performing their duties as members of the committee from the
2 appropriation under section 20.680 (1) (a) of the statutes.”.

3 **1698.** Page 1546, line 9: after that line insert:

4 “(2ct) MILWAUKEE ENTERPRISE CENTER. In the 1999–2000 and 2000–01 fiscal
5 years, the state technical college system board shall pay the amount appropriated
6 to the board under section 20.292 (1) (ec) of the statutes, as created by this act, to the
7 Milwaukee Enterprise Center in the city of Milwaukee to renovate the center’s
8 training center and conference rooms.”.

9 **1699.** Page 1546, line 10: delete lines 10 to 15.

10 **1700.** Page 1546, line 15: after that line insert:

11 “(3w) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for
12 the technical college system board to be funded from the appropriation under section
13 20.292 (1) (q) of the statutes, are increased by 0.75 SEG position for an agricultural
14 education consultant.”.

15 **1701.** Page 1548, line 1: before that line insert:

16 “(2g) GRANT FOR INTERNET–BASED INSTRUCTIONAL PROGRAM. By 15 days after the
17 day after publication, the technology for educational achievement in Wisconsin
18 board shall provide a grant in the amount of \$502,000 to the board of regents of the
19 University of Wisconsin System to maintain, until September 1, 2001, a Web site
20 developed by the University of Wisconsin–Milwaukee to instruct teachers of grades
21 kindergarten to 12 on the integration of technology into the classroom; to store lesson
22 plans concerning the use of technology in the classroom, arranged by grade and
23 subject matter; and to direct teachers to Web sites containing educational
24 resources.”.

1 **1702.** Page 1548, line 18: after that line insert:

2 “(4w) GRANT TO DISTANCE LEARNING NETWORK. From the appropriation under
3 section 20.275 (1) (s) of the statutes, as affected by this act, the technology for
4 educational achievement in Wisconsin board shall award a grant of \$93,800 in the
5 1999–2000 fiscal year to the Embarrass River Valley Instructional Network Group
6 to upgrade its equipment.”.

7 **1703.** Page 1549, line 6: after that line insert:

8 “(2c) GRANTS FOR FORT FOLLE AVOINE. From the appropriation under section
9 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall
10 make a grant of \$100,000 in fiscal year 1999–2000 and a grant of \$100,000 in fiscal
11 year 2000–01 to the Burnett County Historical Society for educational
12 programming, marketing and advertising costs for Fort Folle Avoine. Within 6
13 months after spending the full amount of each grant, the Burnett County Historical
14 Society shall submit a report to the department of tourism detailing the use of the
15 grant proceeds.”.

16 **1704.** Page 1549, line 6: after that line insert:

17 “(3e) GRANT TO ST. CROIX VALLEY TOURISM ALLIANCE. From the appropriation
18 under section 20.380 (1) (kg) of the statutes, as created by this act, the department
19 of tourism shall make a grant of \$50,000 in fiscal year 1999–2000 to the St. Croix
20 Valley Tourism Alliance. Within 6 months after spending the full amount of the
21 grant, the St. Croix Valley Tourism Alliance shall submit a report to the department
22 of tourism detailing the use of the grant proceeds.”.

23 **1705.** Page 1549, line 6: after that line insert:

24 “(2rs) GRANTS FOR INTERNET REFERRAL SYSTEM.

(a) In this subsection, “eligible recipient” means any of the following:

1. A county.

2. A consortium.

(b) The department of tourism shall award 2 grants of \$25,000 each in the 1999–2001 biennium from the appropriation under section 20.380 (1) (c) of the statutes, as created by this act, to 2 eligible recipients. A grant recipient must use the grant proceeds to establish and maintain on the Internet a tourism–related business referral system. In awarding the grants, the department shall consider all of the following:

1. Whether a grant applicant has a financial need for the assistance.

2. Whether a grant applicant will use the services of a Wisconsin–based company that establishes Internet referral systems.

(c) Within 6 months after spending the full amount of the grant, a grant recipient shall submit to the department of tourism a report detailing how the grant proceeds were used.”.

1706. Page 1549, line 6: after that line insert:

“(2tw) GRANTS FOR TOURISM PROMOTION. In each of fiscal years 1999–2000 and 2000–01, the department of tourism shall make a grant of \$75,000 to Polk County and a grant of \$75,000 to Burnett County from the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, for tourism promotion in northwestern Wisconsin. Within 6 months after spending the full amount of each grant, each county shall submit a report to the department of tourism detailing how the money was used.”.

1707. Page 1549, line 7: after that line insert:

1 “(1p) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
2 submitting information under section 16.42 of the statutes for purposes of the
3 2003–05 biennial budget bill, the department of transportation shall submit
4 information concerning the appropriation under section 20.395 (5) (dq) of the
5 statutes, as affected by this act, as though an annual increase of \$28,000, for the
6 purpose of purchasing strobe lighting equipment and installing that equipment in
7 state patrol vehicles, by this act, has not been made.”.

8 **1708.** Page 1549, line 13: after that line insert:

9 “(2bgm) RULES FOR LOCAL ROADS IMPROVEMENT PROGRAM.

10 (a) The department of transportation shall submit in proposed form the rules
11 required under section 86.31 (2) (b) and (6) (g) and (h) of the statutes, as created by
12 this act, to the legislative council staff under section 227.15 (1) of the statutes no later
13 than the first day of the 7th month beginning after the effective date of this
14 paragraph.

15 (b) Using the procedure under section 227.24 of the statutes, the department
16 of transportation shall promulgate the rules required under section 86.31 (2) (b) and
17 (6) (g) and (h) of the statutes, as created by this act. Notwithstanding section 227.24
18 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until July 1,
19 2000, or the date on which permanent rules take effect, whichever is sooner.
20 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
21 is not required to provide evidence that promulgating rules under this paragraph is
22 necessary for the preservation of the public peace, health, safety or welfare and is not
23 required to provide a finding of emergency rules under this paragraph. The

1 department shall promulgate rules under this paragraph no later than the 45th day
2 after the effective date of this paragraph.”.

3 **1709.** Page 1549, line 13: after that line insert:

4 “(2bm) RULES ESTABLISHING FULLY ALLOCATED COST METHODOLOGY.

5 (a) The department of transportation shall submit in proposed form the rules
6 required under section 85.20 (8) of the statutes, as created by this act, to the
7 legislative council staff under section 227.15 (1) of the statutes no later than the first
8 day of the 7th month beginning after the effective date of this paragraph.

9 (b) Using the procedure under section 227.24 of the statutes, the department
10 of transportation shall promulgate the rules required under section 85.20 (8) of the
11 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
12 statutes, the emergency rules may remain in effect until July 1, 2000, or the date on
13 which permanent rules take effect, whichever is sooner. Notwithstanding section
14 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide
15 evidence that promulgating rules under this paragraph is necessary for the
16 preservation of the public peace, health, safety or welfare and is not required to
17 provide a finding of emergency rules under this paragraph. The department shall
18 promulgate rules under this paragraph no later than the 45th day after the effective
19 date of this paragraph.”.

20 **1710.** Page 1549, line 13: after that line insert:

21 “(2br) REDUCED ALLOCATION FOR DISCRETIONARY TOWN ROAD IMPROVEMENTS. The
22 department of transportation shall reduce the amounts allocated in the
23 appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act, for

1 discretionary town road improvements under section 86.31 (3m) of the statutes by
2 \$75,000 annually for fiscal years 1999–2000 and 2000–01.

3 (2bt) TECHNICAL ASSISTANCE WITH PAVEMENT ASSESSMENT. From the appropriation
4 under section 20.395 (4) (aq) of the statutes, as affected by this act, the department
5 shall contract with the board of regents of the University of Wisconsin System for
6 training and technical support from the University of Wisconsin–Extension to assist
7 municipalities in assessing the physical condition of highways under their
8 jurisdiction, as required in section 86.302 (2) of the statutes, as affected by this act.”.

9 **1711.** Page 1550, line 12: after that line insert:

10 “(2s) AGENCY REQUEST RELATING TO DISCRETIONARY TOWN ROAD IMPROVEMENTS.

11 (a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
12 information under section 16.42 of the statutes for the purpose of the 2001–03
13 biennial budget bill, the department of transportation shall submit information
14 concerning the appropriation under section 20.395 (2) (fr) of the statutes as though
15 the amounts appropriated to the department under that appropriation and allocated
16 for activities under section 86.31 (3m) of the statutes, as affected by this act, for fiscal
17 year 2000–01 were \$75,000 more than the amounts in the schedule.

18 (b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
19 information under section 16.42 of the statutes for the purpose of the 2001–03
20 biennial budget bill, the department of transportation shall submit information
21 concerning the appropriation under section 20.395 (4) (aq) of the statutes as though
22 the amounts appropriated to the department under that appropriation for fiscal year
23 2000–01 were \$75,000 less than the amounts in the schedule.”.

24 **1712.** Page 1550, line 12: after that line insert:

1 “(2i) VILLAGE OF CLEAR LAKE BOX CULVERT. From the appropriation under section
2 20.395 (3) (cq) of the statutes, the department of transportation shall replace the
3 railroad grade crossing under USH 63 near the village of Clear Lake, Polk County,
4 with a box culvert of dimensions sufficient to accommodate the comfortable passage
5 of snowmobiles under the highway.”.

6 **1713.** Page 1550, line 17: after that line insert:

7 “(3bm) CONTRACTING FOR DESIGN OR CONSTRUCTION OF LIGHT RAIL PROHIBITED.
8 Notwithstanding any other provision of chapter 59, 60, 61, 62 or 66 of the statutes,
9 no governing body of any city, village, town or county and no agency, corporation,
10 instrumentality or subunit of a city, village, town or county, may enter into a contract
11 for any purpose related to a light rail mass transit system if the cost of any of the
12 contracted items would be paid for by, or reimbursed with, federal funds received
13 under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds received
14 from the state. This subsection does not apply to any funds expended or activity
15 related to a mass transit system that is done under the memorandum of agreement
16 concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was
17 executed by the governor, the secretary of transportation, the secretary of natural
18 resources, the county executive of Dane County, the administrative coordinator of
19 Sauk County, and others, and that became effective on April 22, 1999. This
20 subsection does not apply after June 30, 2001.”.

21 **1714.** Page 1551, line 7: before “Green” insert “Beloit, the city of”.

22 **1715.** Page 1551, line 11: after that line insert:

23 “(5g) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE'S
24 RESTRICTION PERIOD. Not later than the first day of the 4th month beginning after the

1 effective date of this subsection, the secretary of transportation shall submit in
2 proposed form rules required under section 343.085 (2m) (b) 1. a. of the statutes, as
3 created by this act, to the legislative council staff under section 227.15 (1) of the
4 statutes. The rules may not propose to extend a period of restriction under section
5 343.085 (2m) (b) of the statutes, as created by this act, for a violation of section 343.05
6 (1) or (3), 343.12 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or
7 (4), 347.40, 347.42, 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the
8 statutes, nor for operating a motor vehicle with an operating privilege that is
9 suspended or revoked or with an operator's license that is expired.”.

10 **1716.** Page 1551, line 12: before that line insert:

11 “(4f) HARBOR ASSISTANCE GRANTS.

12 (a) *City of Marinette*. Notwithstanding section 85.095 of the statutes, from the
13 appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the
14 department of transportation shall, not later than June 30, 2001, award a grant of
15 \$4,000,000 to the city of Marinette for harbor improvements, including
16 reconstruction of a dock wall and dredging.

17 (b) *City of Milwaukee*. Notwithstanding section 85.095 of the statutes, from the
18 appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the
19 department of transportation shall, not later than June 30, 2001, award a grant of
20 \$800,000 to the city of Milwaukee for harbor improvements, including closing a slip
21 and filling the closed area with dredged material.”.

22 **1717.** Page 1552, line 23: after that line insert:

23 “(6f) MUKWONAGO BYPASS PROJECT. On or after July 1, 2001, and before August
24 1, 2001, the department of transportation shall let for bids contracts for construction

1 on the portions of the Mukwonago bypass project, in Waukesha County, consisting
2 of the extension of Bay View Road, designated as phase 1A; improvements to the
3 I-43/STH 83 interchange, designated as phase 1B; and improvements to the STH
4 83/CTH NN intersection, designated as phase 1C.”.

5 **1718.** Page 1553, line 21: after that line insert:

6 “(7j) REPORT ON INTELLIGENT TRANSPORTATION SYSTEMS. The department of
7 transportation shall conduct a study on its proposed method of funding intelligent
8 transportation systems under section 84.014 of the statutes, as created by this act,
9 for the fiscal year 2000–01. No later than April 30, 2000, the department shall
10 prepare a written report of its findings, conclusions and recommendations and shall
11 submit the report to the chairpersons of the joint committee on finance for
12 consideration at the 2nd quarterly meeting of the committee under section 13.10 of
13 the statutes in the year 2000. The report shall include recommendations concerning
14 the transfer of funds from the appropriations under section 20.395 (3) (bq) to (bx),
15 (cv), (cx) and (iq) to (iv) of the statutes and the appropriations under section 20.395
16 (3) (cq), (eq), (ev), (ex) and (ix) of the statutes, as affected by this act, to the
17 appropriations under section 20.395 (3) (gq) to (gx) of the statutes, as created by this
18 act, for the funding of intelligent transportation systems under section 84.014 of the
19 statutes, as created by this act.”.

20 **1719.** Page 1554, line 12: after that line insert:

21 “(10x) TRAFFIC CONTROL SIGNALS IN SIREN. The department of transportation
22 shall install traffic control signals at the intersection of STH 35 and STH 70 in the
23 village of Siren in Burnett County. If, during the year 2000, the department

1 reconstructs STH 35 at this intersection, the department shall complete the
2 installation required under this subsection as part of that reconstruction project.”.

3 **1720.** Page 1554, line 12: after that line insert:

4 “(10e) STUDY OF POTENTIAL IMPROVEMENTS TO USH 10. The department of
5 transportation shall study potential improvements to USH 10 between Marshfield
6 and Osseo, including the addition of passing lanes or community bypasses, the
7 reconstruction of segments to eliminate hazardous curves or hills and the widening
8 of lanes and shoulders, and, by January 1, 2001, shall submit a report presenting the
9 results of that study to the governor, and to the legislature in the manner provided
10 under section 13.172 (2) of the statutes.”.

11 **1721.** Page 1554, line 12: after that line insert:

12 “(10f) CORRIDOR STUDY FOR USH 8. The department of transportation shall
13 conduct a corridor study of USH 8 in Barron, Polk, Price and Rusk counties and
14 report the results to the county boards of those counties no later than June 30, 2001.”.

15 **1722.** Page 1554, line 12: after that line insert:

16 “(10t) TRAFFIC SIGNAL ON STH 32 IN SOUTH MILWAUKEE. The department of
17 transportation shall install traffic signals at the intersection of STH 32 and
18 Columbia Avenue in South Milwaukee in Milwaukee County.”.

19 **1723.** Page 1554, line 12: after that line insert:

20 “(10d) TRAFFIC CONTROL SIGNAL IN ROCK COUNTY. The department of
21 transportation shall install traffic control signals at the intersection of USH 51 and
22 Townline Road located in Rock County and shall award the contract to install the
23 traffic controls signals no later than April 1, 2001.”.

24 **1724.** Page 1554, line 12: after that line insert:

1 “(10c) STORM WATER REGULATION COSTS. The department of transportation shall
2 allocate the following amounts:

3 (a) From the appropriation under section 20.395 (3) (bq) to (bx) of the statutes,
4 \$750,000 in fiscal year 1999–2000 and \$850,000 in fiscal year 2000–01 for the costs
5 of complying with storm water rules promulgated under section 281.33 (3) of the
6 statutes.

7 (b) From the appropriation under section 20.395 (3) (cq) to (cx) of the statutes,
8 as affected by this act, \$4,900,000 in fiscal year 1999–2000 and \$5,400,000 in fiscal
9 year 2000–01 for the costs of complying with storm water rules promulgated under
10 section 281.33 (3) of the statutes.”.

11 **1725.** Page 1554, line 12: after that line insert:

12 “(10z) CALCULATION OF BICYCLE AND PEDESTRIAN FACILITIES GRANTS.

13 (a) Notwithstanding section 85.024 (2) of the statutes, as affected by this act,
14 and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created
15 by this act, the calculation under section 85.024 (2) of the statutes, as affected by this
16 act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as
17 created by this act, of the total amount of grants awarded and projects approved for
18 fiscal year 1999–2000 shall include any grants awarded under section 85.024, 1997
19 stats., section 85.026, 1997 stats., or section 85.243, 1997 stats., and projects
20 approved under section 85.245, 1997 stats., that are for the planning, design and
21 construction of bicycle and pedestrian facilities and that have not been paid on or
22 before the effective date of this paragraph. If the department of transportation
23 determines that a grant was awarded for a project under section 85.024, 1997 stats.,
24 section 85.026, 1997 stats., or section 85.243, 1997 stats., or a project was approved

1 under section 85.245, 1997 stats., on which construction will not be completed within
2 a reasonable time after the grant is awarded or the project is approved, the
3 department may withdraw the grant or its approval of the project and the amount
4 of the grant or cost of the project may not be counted under this paragraph.

5 (b) Notwithstanding section 85.024 (2) of the statutes, as affected by this act,
6 and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created
7 by this act, the calculation under section 85.024 (2) of the statutes, as affected by this
8 act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as
9 created by this act, of the total amount of grants awarded and projects approved for
10 fiscal year 2000–01 shall include any grants awarded under section 85.024, 1997
11 stats., section 85.026, 1997 stats., and section 85.243, 1997 stats., and projects
12 approved under section 85.245, 1997 stats., that are for the planning, design and
13 construction of bicycle and pedestrian facilities and that have not been paid on or
14 before July 1, 2000. If the department of transportation determines that a grant was
15 awarded for a project under section 85.024, 1997 stats., section 85.026, 1997 stats.,
16 or section 85.243, 1997 stats., or a project was approved under section 85.245, 1997
17 stats., on which construction will not be completed within a reasonable time after the
18 grant is awarded or the project is approved, the department may withdraw the grant
19 or its approval of the project and the amount of the grant or cost of the project may
20 not be counted under this paragraph.”.

21 **1726.** Page 1555, line 24: delete “The board of regents of the” and substitute:
22 “(a) The board of regents of the”.

23 **1727.** Page 1556, line 4: delete “for the purpose of retaining the person” and
24 substitute “to recognize competitive factors”.

1 **1728.** Page 1556, line 5: delete “(a)” and substitute “1.”.

2 **1729.** Page 1556, line 7: delete “(b)” and substitute “2.”.

3 **1730.** Page 1556, line 9: delete “(c)” and substitute “3.”.

4 **1731.** Page 1556, line 11: delete “(d)” and substitute “4.”.

5 **1732.** Page 1556, line 12: after that line insert:

6 “(b) No later than October 1, 2000, the board of regents of the University of
7 Wisconsin System shall report to the joint committee on finance concerning the
8 amounts of any salary increases granted from funding specified under paragraph (a)
9 to recognize competitive factors, and the institutions at which they are granted, for
10 the 12-month period ending on the preceding June 30.

11 “(c) No later than October 1, 2001, the board of regents of the University of
12 Wisconsin System shall report to the joint committee on finance concerning the
13 amounts of any salary increases granted from funding specified under paragraph (a)
14 to recognize competitive factors, and the institutions at which they are granted, for
15 the 12-month period ending on the preceding June 30.”.

16 **1733.** Page 1556, line 13: delete lines 13 to 22.

17 **1734.** Page 1556, line 23: delete the material beginning with that line and
18 ending with page 1557, line 2.

19 **1735.** Page 1557, line 16: delete lines 16 to 22 and substitute:

20 “(3b) OVERSEAS PILOT PROGRAM. In the 2000–01 fiscal year, the University of
21 Wisconsin–Milwaukee shall conduct a pilot project, with an emphasis on agriculture,
22 the environment and public policy, that is designed to determine the feasibility of
23 overseas academic programming. The board of regents of the University of

1 Wisconsin System shall allocate \$400,000 from the appropriation under section
2 20.285 (1) (a) of the statutes for the pilot program. Upon completion of the pilot
3 project, the University of Wisconsin–Milwaukee shall”.

4 **1736.** Page 1558, line 13: after that line insert:

5 “(3t) POSITION AUTHORIZATION.

6 (a) Notwithstanding section 16.505 (1) of the statutes, during the 1999–2001
7 fiscal biennium, the board of regents of the University of Wisconsin System may
8 propose to increase its authorized FTE positions that are funded, in whole or in part,
9 with general purpose revenues by not more than 1% above the level authorized for
10 the board under section 16.505 (1) of the statutes. The board shall submit any
11 proposal under this subsection to the secretaries of administration and employment
12 relations for approval, together with its methodology for accounting for the cost of
13 funding these positions. The secretaries of administration and employment
14 relations may only approve a proposal if the incremental costs for these positions, as
15 determined by the secretaries of administration and employment relations, are not
16 to be included in any subsequent request submitted by the board under section 16.42
17 (1) of the statutes, as affected by this act. If the secretaries of administration and
18 employment relations jointly approve the proposal, the positions are authorized.

19 (b) During the 1999–2001 fiscal biennium, the board may not include in any
20 certification to the department of administration under section 20.928 (1) of the
21 statutes any sum to pay any costs of a position authorized under this subsection.

22 (c) No later than the last day of the month following completion of each calendar
23 quarter during the 1999–2001 fiscal biennium, the board shall report to the
24 secretaries of administration and employment relations concerning the number of

1 authorized positions under this subsection that have been filled by the board during
2 the preceding calendar quarter and the source of funding for each such position.”.

3 **1737.** Page 1558, line 23: after that line insert:

4 “(4g) TRANSFER CREDITS; REPORT. By July 1, 2000, the president of the University
5 of Wisconsin System and the director of the technical college system shall submit a
6 report to the legislature under section 13.172 (2) of the statutes on efforts made to
7 coordinate transfer of credits from the technical college system to the University of
8 Wisconsin System, including a plan to coordinate the transfer of credits for
9 additional programs, and a timetable for implementation of the plan.”.

10 **1738.** Page 1558, line 23: after that line insert:

11 “(4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section
12 36.27 (1) (am) of the statutes, as created by this act, the board of regents of the
13 University of Wisconsin System may not charge more in academic student fees for
14 resident undergraduate students in the 2000–01 academic year than it charged in
15 the 1999–2000 academic year.”.

16 **1739.** Page 1558, line 23: after that line insert:

17 “(5g) POSITION AUTHORIZATION. The authorized FTE positions for the board of
18 regents of the University of Wisconsin System are increased by 2.0 GPR positions,
19 to be funded from the appropriation under section 20.285 (1) (ep) of the statutes, as
20 created by this act.”.

21 **1740.** Page 1559, line 7: after that line insert:

22 “(3g) STAFF PAY SURVEY IMPLEMENTATION. The department of veterans affairs, in
23 response to a staff pay survey by the department of employment relations, may
24 request the joint committee on finance to supplement, from the appropriation under

1 section 20.865 (4) (u) of the statutes, the appropriation account under section 20.485
2 (2) (u) of the statutes, to pay the increased salary and fringe benefit costs resulting
3 from that survey. If the department of veterans affairs requests supplementation of
4 the appropriation account under section 20.485 (2) (u) of the statutes, the
5 department shall submit a plan to the joint committee on finance to expend not more
6 than \$159,600 for fiscal year 1999–2000 and not more than \$164,400 for fiscal year
7 2000–01. If the cochairpersons of the committee do not notify the secretary of the
8 department within 14 working days after the date of the department’s submittal that
9 the committee intends to schedule a meeting to review the request, the appropriation
10 account shall be supplemented as provided in the request. If, within 14 working days
11 after the date of the department’s submittal, the cochairpersons of the committee
12 notify the secretary of the department that the committee intends to schedule a
13 meeting to review the request, the appropriation account shall be supplemented only
14 as approved by the committee. Notwithstanding section 13.101 (3) of the statutes,
15 the committee is not required to find that an emergency exists.”.

16 **1741.** Page 1559, line 7: after that line insert:

17 “(3d) SUPPLEMENT FOR INCREASED ENROLLMENT. The joint committee on finance
18 shall supplement the appropriation account under section 20.285 (1) (a) of the
19 statutes by \$4,800,000 in the 2000–01 fiscal year if the board of regents of the
20 University of Wisconsin System demonstrates to the satisfaction of the joint
21 committee on finance that enrollment for the 2000–01 academic year will increase
22 by 300 students in the University of Wisconsin–Madison and an additional 700
23 students in the University of Wisconsin System.”.

24 **1742.** Page 1559, line 10: delete “(vL)” and substitute “(z)”.

1 **1743.** Page 1559, line 12: delete “(vL)” and substitute “(z)”.

2 **1744.** Page 1559, line 19: delete “2000–2001” and substitute “2000–01”.

3 **1745.** Page 1559, line 25: after that line insert:

4 “(gm) The New Concept Self–Development Center in Milwaukee, \$250,000 in
5 each fiscal year of the 1999–2001 biennium.”.

6 **1746.** Page 1562, line 22: delete the material beginning with that line and
7 ending with page 1563, line 3, and substitute:

8 “(2nx) REORGANIZATION OF THE DIVISION OF VOCATIONAL REHABILITATION. Not later
9 than June 30, 2001, the division of vocational rehabilitation shall submit to the
10 secretary of workforce development a plan to reorganize the division. The plan shall
11 include a reduction in the number of program assistant supervisors and an increase
12 in the number of program assistants to provide support for rehabilitation counselors.
13 The plan shall also include a provision to convert, at the division’s discretion and
14 based on local management and labor input, vacant program assistant supervisor
15 positions to rehabilitation counselor positions or other direct service positions in
16 areas with high caseloads.”.

17 **1747.** Page 1563, line 11: after that line insert:

18 “(2tu) EMPLOYMENT AND EDUCATION PROGRAMS.

19 (a) The authorized FTE positions for the department of workforce development,
20 funded from the appropriation under section 20.445 (1) (n) of the statutes, are
21 decreased by 2.2 FED positions for the provision of the employment and education
22 programs specified in section 106.12 (2) of the statutes, as affected by this act.

23 (b) The authorized FTE positions for the department of workforce development,
24 funded from the appropriation under section 20.445 (7) (kx) of the statutes, as

1 created by this act, are increased by 2.2 PR positions for the provision of the
2 employment and education programs specified in section 106.12 (2) of the statutes,
3 as affected by this act.”.

4 **1748.** Page 1566, line 17: after that line insert:

5 “(4g) POSITION DECREASE. The authorized FTE positions for the department of
6 workforce development funded from the appropriation under section 20.445 (3) (n)
7 of the statutes are decreased by 1.0 FED position on the effective date of this
8 subsection.”.

9 **1749.** Page 1566, line 17: after that line insert:

10 “(4c) WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. Not later than the first
11 day of the 2nd month beginning after the effective date of this subsection, the
12 department of workforce development shall develop and distribute to all Wisconsin
13 works agencies the single–page description of all of the benefits and services that a
14 Wisconsin works agency may provide to individuals seeking assistance from the
15 Wisconsin works agencies, as required under section 49.143 (2) (es) of the statutes,
16 as created by this act.”.

17 **1750.** Page 1566, line 17: after that line insert:

18 “(7mx) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1997 stats.,
19 a lien that exists under section 109.09 (2) (a), 1997 stats., on the day before the
20 effective date of this subsection takes precedence over all other debts, judgments,
21 decrees, liens or mortgages against an employer that originated before that lien took
22 effect, except a lien of a financial institution, as defined in section 69.30 (1) (b) of the
23 statutes, or a lien under section 292.31 (8) (i) or 292.81 of the statutes.”.

24 **1751.** Page 1566, line 17: after that line insert:

1 “(4dx) UNRESTRICTED BONUSES FOR WISCONSIN WORKS AGENCIES. The department
2 of workforce development shall modify its request for proposals to administer
3 Wisconsin works under a contract with a term beginning on January 1, 2000, to
4 provide that, of the total unrestricted performance bonus available to each Wisconsin
5 works agency, 50% is to be distributed to the agency if the agency meets the 2nd
6 performance level, as defined by the department, and the remainder is to be
7 distributed to the agency if the agency meets the 3rd performance level, as defined
8 by the department.”.

9 **1752.** Page 1566, line 17: after that line insert:

10 “(3mm) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS. No later than the
11 first day of the first month beginning after publication, the department of workforce
12 development shall identify all existing general purpose revenues that may be used
13 to match federal child care and development block grant funds. The department
14 shall prepare a plan to maximize federal funding for child care and shall submit the
15 plan to the secretary of the federal department of health and human services no later
16 than the first day of the 2nd month beginning after publication. No later than 60
17 days after the secretary of the federal department of health and human services
18 approves the plan, the department shall submit to the joint committee on finance a
19 plan for expanding child care.”.

20 **1753.** Page 1566, line 17: after that line insert:

21 “(4y) STUDY ON THE GUARDIAN AD LITEM SYSTEM.

22 (a) The joint legislative council is requested to establish a committee to study
23 reforming the guardian ad litem system as it applies to actions affecting the family.
24 The committee shall include legislators, attorneys, judges, court commissioners,

1 mental health professionals and other individuals representing the public interest.

2 The study shall include an examination of at least all of the following:

3 1. The appointment of guardians ad litem, including whether the appointment
4 of a guardian ad litem should be required in every case in which legal custody or
5 physical placement of a child is contested and whether professionals with specialized
6 training and expertise in the emotional and developmental phases and needs of
7 children, such as child psychologists, child psychiatrists and child therapists, should
8 be appointed to act as guardians ad litem.

9 2. The role of the guardian ad litem.

10 3. Supervision of guardians ad litem.

11 4. Training of guardians ad litem.

12 5. Compensation of guardians ad litem.

13 (b) If a committee is established, the committee shall prepare a report with its
14 recommendations and shall petition the supreme court to consider rules for the
15 reform of the guardian ad litem system on the basis of the recommendations.”.

16 **1754.** Page 1566, line 18: after that line insert:

17 “(1d) CONSOLIDATION OF STATE VEHICLE FLEET OPERATIONS.

18 (a) In this subsection:

19 1. “Department” means the department of administration.

20 2. “Secretary” means the secretary of administration.

21 (b) The department shall submit to the cochairpersons of the joint committee
22 on finance for consideration at the 4th quarterly meeting of the committee under
23 section 13.10 of the statutes to be held in 1999 an implementation plan for

1 consolidating the vehicle fleet management functions of the department of natural
2 resources with the corresponding functions of the department.

3 (c) The plan submitted under paragraph (b) may include provision for any of
4 the following on the effective date specified in the plan:

5 1. Transfer of the assets and liabilities of the department of natural resources
6 relating to its vehicle fleet management functions to the department.

7 2. Transfer of the tangible personal property, including records, of the
8 department of natural resources relating to its vehicle fleet management functions
9 to the department.

10 3. Transfer to the department of any authorized full-time equivalent position
11 of the department of natural resources relating to its vehicle fleet management
12 functions. The plan shall include identification of the numbers, revenue sources and
13 types of any positions to be transferred from the department of natural resources to
14 the department under the plan.

15 4. Transfer to the department of any incumbent employees holding positions in
16 the department of natural resources relating to its vehicle fleet management
17 functions. Employees transferred under the plan have all the rights and the same
18 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
19 department that they enjoyed in the department of natural resources immediately
20 before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee
21 so transferred who has attained permanent status in class is required to serve a
22 probationary period.

23 5. Transfer to the department of the contracts entered into by the department
24 of natural resources relating to its vehicle fleet management functions which are in
25 effect on the effective date of this subdivision. If the transfer occurs, the department

1 shall carry out any obligations under such a contract until modified or rescinded by
2 the department to the extent allowed under the contract.

3 6. Transfer to the department of any rules promulgated or orders issued by the
4 department of natural resources relating to its vehicle fleet management functions
5 which are in effect on the effective date of the plan. If the transfer occurs, any such
6 rules shall remain in effect until their specified expiration dates or until amended
7 or repealed by the department, and any such orders shall remain in effect until their
8 specified expiration dates or until modified or rescinded by the department.

9 7. Transfer to the department of any matter pending with the department of
10 natural resources relating to its vehicle fleet management functions. If the transfer
11 occurs, all materials submitted to or actions taken by the department of natural
12 resources with respect to the pending matter are considered as having been
13 submitted to or taken by the department.

14 (d) The department shall submit to the cochairpersons of the joint committee
15 on finance for consideration at the 3rd quarterly meeting of the committee under
16 section 13.10 of the statutes in the year 2000 an implementation plan for
17 consolidating the vehicle fleet management functions of the department of
18 transportation and the University of Wisconsin–Madison with the corresponding
19 functions of the department.

20 (e) The plan submitted under paragraph (d) may include provision for any of
21 the following on the effective date specified in the plan:

22 1. Transfer of the assets and liabilities of the department of transportation and
23 the University of Wisconsin–Madison relating to their vehicle fleet management
24 functions to the department.

1 2. Transfer of the tangible personal property, including records, of the
2 department of transportation and the University of Wisconsin–Madison to the
3 department.

4 3. Transfer to the department of any authorized full–time equivalent position
5 of the department of transportation or the board of regents of the University of
6 Wisconsin System relating to vehicle fleet management functions of the department
7 of transportation or the University of Wisconsin–Madison. The plan shall include
8 identification of the numbers, revenue sources and types of any positions to be
9 transferred from the department of transportation or the board of regents of the
10 University of Wisconsin System under the plan.

11 4. Transfer to the department of any incumbent employees holding positions at
12 the department of transportation or the University of Wisconsin–Madison relating
13 to vehicle fleet management functions. Employees transferred under the plan have
14 all the rights and the same status under subchapter V of chapter 111 and chapter 230
15 of the statutes that they enjoyed at the department of transportation or the
16 University of Wisconsin–Madison immediately before the transfer.
17 Notwithstanding section 230.08 (4) of the statutes, no employee so transferred who
18 has attained permanent status in class is required to serve a probationary period.

19 5. Transfer to the department of the contracts entered into by the department
20 of transportation and the board of regents of the University of Wisconsin System
21 relating to the vehicle fleet management functions of the department of
22 transportation and the University of Wisconsin–Madison which are in effect on the
23 effective date of this subdivision. If the transfer occurs, the department shall carry
24 out any obligations under such a contract until modified or rescinded by the
25 department to the extent allowed under the contract.

1 6. Transfer to the department of any rules promulgated or orders issued by the
2 department of transportation or the board of regents of the University of Wisconsin
3 System relating to the vehicle fleet management functions of the department of
4 transportation or the University of Wisconsin–Madison which are in effect on the
5 effective date of the plan. If the transfer occurs, any such rules shall remain in effect
6 until their specified expiration dates or until amended or repealed by the
7 department, and any such orders shall remain in effect until their specified
8 expiration dates or until modified or rescinded by the department.

9 7. Transfer to the department of any matter pending with the department of
10 transportation or the board of regents of the University of Wisconsin System relating
11 to the vehicle fleet management functions of the department of transportation or the
12 University of Wisconsin–Madison. If the transfer occurs, all materials submitted to
13 or actions taken by the department of transportation or the board of regents of the
14 University of Wisconsin System with respect to the pending matter are considered
15 as having been submitted to or taken by the department.

16 (f) The joint committee on finance may approve or modify and approve the plans
17 submitted under paragraphs (b) and (d). If the committee approves a plan, with or
18 without modifications, the department may implement the plan on the effective date
19 of the plan as specified in the plan. If the committee does not approve either plan,
20 the department shall not implement that plan.

21 (g) Notwithstanding section 16.42 of the statutes, the departments of natural
22 resources and transportation and the board of regents of the University of Wisconsin
23 System shall submit information under section 16.42 of the statutes for purposes of
24 the 2001–2003 biennial budget bill reflecting any savings incurred from

1 consolidation of vehicle fleet management functions as the result of implementation
2 of a plan under this subsection.

3 (h) The departments of natural resources and transportation and the board of
4 regents of the University of Wisconsin System shall fully cooperate with the
5 department in implementing any plan approved under paragraph (f).”.

6 **1755.** Page 1567, line 21: after that line insert:

7 “(7g) VILLAGE OF ASHWAUBENON TAX INCREMENTAL DISTRICT NUMBER TWO.
8 Notwithstanding section 66.46 (4) (h) 1. and 2. of the statutes, expenditures for
9 project costs for tax incremental district number two in the village of Ashwaubenon
10 may be made for not more than 5 years after the date on which the village board
11 adopted a resolution amending the project plan in a way that modified the district’s
12 boundaries by adding territory to the district. Expenditures for tax incremental
13 district number two in the village of Ashwaubenon may be made through July 30,
14 2001.”.

15 **1756.** Page 1568, line 1: delete “for its approval under paragraph (b)” and
16 substitute “, the senate and assembly education committees and the Milwaukee
17 school construction board”.

18 **1757.** Page 1568, line 10: delete “throughout the school district”.

19 **1758.** Page 1568, line 13: after that line insert:

20 “6. A plan for complying with section 121.85 (2) to (5) of the statutes.

21 (am) Before submitting the report under paragraph (a), the board of school
22 directors shall hold all of the following kinds of hearings on the report:

23 1. A general listening session.

24 2. A hearing at which goals and objectives are discussed.

1 3. A hearing to finalize the board's goals and objectives.

2 4. A hearing at which the board solicits ideas on a plan to implement the goals
3 and objectives.

4 5. A hearing at which the board presents an initial draft of a plan for
5 implementing the goals and objectives.

6 6. A hearing at which the board presents a final draft of a plan for implementing
7 the goals and objectives.

8 7. A hearing at which the board presents the plan.

9 (ar) The Milwaukee school construction board shall review the report under
10 paragraph (a) and may modify the report. The Milwaukee school construction board
11 shall approve the report, any modifications to the report, and shall submit the report,
12 including a recommendation of the amount of bonding necessary for school
13 construction to the joint committee on finance and the senate and assembly
14 education committees by June 1, 2000.”.

15 **1759.** Page 1568, line 14: delete “(a)” and substitute “(ar)”.

16 **1760.** Page 1568, line 16: after that line insert:

17 “(bm) If a member of the senate or assembly education committees requests a
18 hearing within 30 days after submission of the report under paragraph (a), the
19 member's committee shall hold a hearing on the report within 2 weeks after the
20 request.”.

21 **1761.** Page 1570, line 8: after that line insert:

22 “(8w) DANE COUNTY REGIONAL PLANNING COMMISSION.

23 (a) Notwithstanding the composition of the membership of the Dane County
24 regional planning commission that is determined under section 66.945 (3) (b) of the

1 statutes and the terms for such regional planning commission members that are
2 determined under section 66.945 (3) (c) of the statutes, no commissioner of the Dane
3 County regional planning commission who holds office on the 30th day after the
4 effective date of this paragraph may remain in his or her office beyond that date
5 unless he or she is reappointed under paragraph (b).

6 (b) Beginning on the 31st day after the effective date of this paragraph, the
7 Dane County regional planning commission shall consist of the following members,
8 subject to paragraph (c):

9 1. Four members who are appointed by the mayor of the city of Madison.

10 2. Three members who are appointed by the governor from a list of names
11 submitted by an association representing towns that is in existence on January 1,
12 1999.

13 3. Three members who are appointed by the governor from a list of names
14 submitted jointly by an association representing villages and by an association
15 representing 3rd and 4th class cities, both of which are in existence on January 1,
16 1999.

17 4. Three members who are appointed by the Dane County executive, one of
18 whom shall be a resident of the city of Madison, one of whom shall be a resident of
19 a town that is located in Dane County and one of whom shall be a resident of a village
20 or a 3rd or 4th class city that is located in whole or in part in Dane County.

21 (c) Not more than 3 of the members appointed under paragraph (b) may be
22 members of the Dane County board. If more than 3 members of the Dane County
23 board are appointed under paragraph (b), the first 3 Dane County board members
24 who are appointed shall be on the Dane County regional planning commission and

1 the individual who appointed Dane County board members who may not be on the
2 commission shall appoint other individuals for those positions on the commission.

3 (d) For any action taken by the Dane County regional planning commission in
4 any of the following areas, a supermajority of 8 votes is required:

5 1. Any changes to an urban service area, as designated under 33 USC 1288.

6 2. Any changes to the Dane County land use and transportation plan.

7 (e) Notwithstanding the procedures for dissolution of a regional planning
8 commission that are specified under section 66.945 (15) of the statutes, the Dane
9 County regional planning commission shall be dissolved on October 1, 2002. All
10 unexpended funds of the commission on that date shall be applied to any outstanding
11 indebtedness of the commission. If any outstanding indebtedness of the commission
12 remains after the application of the unexpended funds to such debts, the remaining
13 indebtedness shall be assessed to Dane County. If the commission has no
14 outstanding indebtedness and has unexpended funds, such funds shall be returned
15 to the cities, villages, towns or county that supplied them.”.

16 **1762.** Page 1570, line 16: after that line insert:

17 “(9g) WINNEBAGO COUNTY CLAIM. There is directed to be expended from the
18 appropriation under section 20.510 (1) (a) of the statutes, as affected by the acts of
19 1999, \$2,087 in payment of a claim against the state made by Winnebago County to
20 compensate the county for the cost of reprinting ballots for the 1988 general election
21 that were found by the state elections board to be out of conformity with state law.
22 Acceptance of this payment releases this state and its officers, employees and agents
23 from any further liability with respect to the county’s defective ballots for the 1988
24 general election.”.

1 **1763.** Page 1570, line 16: after that line insert:

2 “(10g) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN
3 STATE AND NATIONAL ORGANIZATIONS ARE PAID.

4 (a) In this subsection:

5 1. “Secretary” means the secretary of administration.

6 2. “State agency” has the meaning given in section 20.001 (1) of the statutes.

7 (b) The secretary shall determine for each state agency the amount expended
8 by the state agency for membership dues for any state or national organization in the
9 1998–99 fiscal year that was funded from each revenue source except federal
10 revenue.

11 (c) The secretary shall, during the 1999–2000 fiscal year, lapse to the general
12 fund or appropriate segregated fund from each sum certain appropriation account
13 made to each state agency from any revenue source except program revenue,
14 segregated revenue derived from specific program receipts or federal revenue, or
15 shall reestimate to subtract from the expenditure estimate for each appropriation
16 other than a sum certain appropriation made to each state agency from any revenue
17 source except federal revenue, an amount equivalent to 10% of the total amount
18 expended by that state agency for membership dues for any state or national
19 organization from that appropriation in the 1998–99 fiscal year, if any. The secretary
20 shall, during the 2000–01 fiscal year, lapse to the general fund or appropriate
21 segregated fund from each such account or shall reestimate to subtract from each
22 such estimate an equivalent amount.

23 (d) Each sum certain appropriation to each state agency for the 1999–2000
24 fiscal year and the 2000–01 fiscal year from program revenue or segregated revenue

1 derived from specific program receipts is decreased by an amount equivalent to 10%
2 of the total amount expended by that agency for membership dues for any state or
3 national organization from that appropriation in the 1998–99 fiscal year, as
4 determined by the secretary.”.

5 **1764.** Page 1570, line 16: after that line insert:

6 “(9z) HIGHER EDUCATIONAL AIDS BOARD; POSITION DECREASE. The authorized FTE
7 positions for the higher educational aids board, funded from the appropriation under
8 section 20.235 (2) (qb) of the statutes, are decreased by 0.86 SEG position.”.

9 **1765.** Page 1570, line 16: after that line insert:

10 “(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the
11 statutes, as created by this act, 4 of the initial members of the tobacco control board
12 appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act,
13 shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco
14 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as
15 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial
16 members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12.
17 of the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.”.

18 **1766.** Page 1570, line 16: after that line insert:

19 “(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for
20 the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG
21 other position to be funded from the appropriation under section 20.436 (1) (tb) of the
22 statutes, as created by this act.”.

23 **1767.** Page 1571, line 20: delete “July” and substitute “August”.

24 **1768.** Page 1572, line 9: after that line insert:

1 “(3m) STATE VEHICLE FLEET. Notwithstanding section 20.001 (3) (a) and (c) of the
2 statutes, not later than June 30, 2001, the department of administration shall lapse
3 a total of \$230,000 from the appropriation accounts under section 20.285 (1) (h) of the
4 statutes, as affected by this act, and sections 20.370 (8) (mt), 20.395 (4) (er) and
5 20.505 (1) (kb) of the statutes to the general fund, in the amounts determined by the
6 secretary of administration.”.

7 **1769.** Page 1572, line 20: substitute “\$1,500,000” for “\$500,000”.

8 **1770.** Page 1572, line 21: after that line insert:

9 “(3g) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the
10 agrichemical management fund to the general fund \$1,000,000 in fiscal year
11 1999–00.”.

12 **1771.** Page 1573, line 18: delete “July” and substitute “August”.

13 **1772.** Page 1575, line 10: after that line insert:

14 “(3c) TRANSFER OF UNEXPENDED SUBSTANCE ABUSE FUNDS. Of the amounts shown
15 in the schedule under section 20.435 (7) (bc) of the statutes, as affected by this act,
16 for fiscal year 1999–2000, \$5,000,000 is allocated for substance abuse grants under
17 section 46.48 (30) of the statutes, as created by this act. Of that amount, the
18 department of health and family services may expend or encumber only that amount
19 that equals \$416,670 times the number of months in fiscal year 1999–2000 for which
20 grants are awarded under section 46.48 (30) of the statutes, as created by this act.”.

21 **1773.** Page 1577, line 5: after that line insert:

22 “(1c) RECYCLING FUND TRANSFER. There is transferred from the recycling fund
23 to the general fund \$15,000,000 in fiscal year 1999–00 and \$7,000,000 in fiscal year
24 2000–01.”.

1 **1774.** Page 1577, line 12: delete lines 12 to 20 and substitute:

2 “(af) There is transferred \$1,630,000 from the parks account of the
3 conservation fund to the general fund.

4 (bf) On July 1, 2000, there is transferred \$500,000 from the parks account of
5 the conservation fund to the general fund.”.

6 **1775.** Page 1577, line 20: after that line insert:

7 “(4c) ALL-TERRAIN VEHICLE ACCOUNT TRANSFER. There is transferred \$625,000
8 from the all-terrain vehicle account of the conservation fund to the general fund.”.

9 **1776.** Page 1577, line 20: after that line insert:

10 “(4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.
11 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
12 subsection, there is lapsed to the recycling fund, from the appropriation account to
13 the department of natural resources under section 20.370 (6) (br) of the statutes, as
14 affected by this act, an amount equal to the unencumbered balance in that
15 appropriation account on June 30, 1999, less \$500,000.”.

16 **1777.** Page 1578, line 7: delete “July” and substitute “August”.

17 **1778.** Page 1578, line 20: delete “July” and substitute “August”.

18 **1779.** Page 1579, line 6: delete “July” and substitute “August”.

19 **1780.** Page 1580, line 2: after that line insert:

20 “(2c) TRANSFERS TO THE LOTTERY FUND.

21 (a) On March 27, 2000, there is transferred from the general fund to the lottery
22 fund \$37,207,000.

(b) On March 26, 2001, there is transferred from the general fund to the lottery fund \$216,689,300.”.

1781. Page 1582, line 6: delete lines 6 to 10.

1782. Page 1582, line 10: after that line insert:

“(5f) ALLOCATION OF SCHOOL-TO-WORK MONEYS. In fiscal year 1999–2000, the department of workforce development shall allocate at least \$284,300 under section 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of public instruction to support the costs of contracting with a vocational education consultant and other technical preparation–related costs. In fiscal year 2000–01, the department of workforce development shall allocate at least \$284,300 under section 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of public instruction for the same purpose.”.

1783. Page 1584, line 24: delete lines 24 and 25.

1784. Page 1585, line 1: after that line insert:

“(2g) UNCLAIMED PRIZES. The treatment of sections 562.065 (4) of the statutes first applies to prizes that are unclaimed on the 90th day after the end of the 2000 racing season.”.

1785. Page 1585, line 1: after that line insert:

“(1d) LEGISLATIVE APPROVAL OF INDIAN GAMING COMPACTS AND PROPOSED INDIAN GAMING ESTABLISHMENTS. The treatment of section 14.037 of the statutes, the renumbering and amendment of section 14.035 of the statutes and the creation of section 14.035 (2) of the statutes first apply to gaming compacts negotiated by the governor and decisions made by the governor as described under 25 USC 2719 (1) (A) beginning on the effective date of this subsection.”.

1 **1786.** Page 1586, line 16: after that line insert:

2 “(6g) CONSENT DECREES. The treatment of section 48.32 (2) (a) of the statutes
3 first applies to consent decrees entered into on the effective date of this subsection.”.

4 **1787.** Page 1586, line 16: after that line insert:

5 “(4t) PLACEMENT OR VISITATION WITH A PARENT WHO KILLS A PARENT. The treatment
6 of sections 48.207 (1) (a) and (b), 48.345 (3) (a) and (b), 48.357 (4d), 48.42 (1m) (b),
7 (c) and (e), 48.925 (1) (intro.) and (1m), 767.245 (1), (1m) and (6), 767.247, 767.325
8 (4m), 880.155 (2), (3m) and (4m), 880.157, 938.207 (1) (a) and (b), 938.34 (3) (a) and
9 (b) and 938.357 (4d) of the statutes, the renumbering and amendment of sections
10 48.355 (3), 48.428 (6) and 938.355 (3) of the statutes and the creation of sections
11 48.355 (3) (b), 48.428 (6) (b) and 938.355 (3) (b) of the statutes first apply to orders
12 for visitation or physical placement, and to orders modifying or revising visitation
13 or physical placement orders, that are granted on the effective date of this
14 subsection; to petitions to restrain and enjoin visitation and contact with a child that
15 are filed on the effective date of this subsection; and to orders of the juvenile court
16 placing a child in or removing a child from the home of a parent, guardian or relative
17 or granting or prohibiting parental visitation granted on the effective date of this
18 subsection; regardless of when the conviction of first-degree or 2nd-degree
19 intentional homicide occurred.”.

20 **1788.** Page 1587, line 1: delete lines 1 to 4.

21 **1789.** Page 1587, line 6: delete “(cn),”.

22 **1790.** Page 1588, line 6: after that line insert:

23 “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under
24 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this

subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (as it relates to the duty of the recycling market development board to enter into contracts) of the statutes first applies to that contract after the termination of the contract.”.

1791. Page 1588, line 6: after that line insert:

“(6bn) BROWNFIELDS AND GROUNDWATER CONTAMINATION GRANT CRITERIA. The treatment of section 560.13 (title), (2) (a) 1. and 2. (intro.) and (6m) of the statutes first applies to grants for which applications are submitted after April 16, 1999.”.

1792. Page 1588, line 16: delete lines 16 to 23.

1793. Page 1588, line 23: after that line insert:

“(5xt) SECURED GROUP HOMES. The renumbering and amendment of section 48.66 (1) of the statutes, the amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 46.036 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a), 48.66 (2m) (am), 48.66 (2m) (b), 48.66 (2m) (bm), 48.68 (1), 48.69, 48.715 (1), 48.715 (2) (a), 48.715 (2) (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7), 49.857 (1) (d) 3., 51.05 (2), 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e), 51.35 (3) (g), 73.0301 (1) (d) 2., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 165.76 (2) (b) 2., 252.15 (1) (ab), 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03 (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (7) (a) 3., 301.263 (3), 301.36 (1), 301.37 (1), 301.45 (1) (b), 301.45 (1) (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02 (15m), 938.02 (17), 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3) (a) 2., 938.08 (3) (b), 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22 (1) (a), 938.22 (1) (b), 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22 (7) (a), 938.22 (7) (b), 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a), 938.33 (3r),

938.34 (4m) (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c), 938.345 (1) (a), 938.355 (1), 938.357 (3), 938.357 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.), 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b), 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7) (b), 980.015 (2) (b), 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and 980.04 (1) of the statutes and the creation of sections 51.01 (14k), 51.01 (14m), 51.01 (14p), 301.01 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the statutes first apply to delinquent acts committed on the effective date of this subsection.”.

1794. Page 1589, line 4: after that line insert:

“(1m) SOCIAL SECURITY COVERAGE. The treatment of section 40.41 (6) (b) and (c) of the statutes first applies to services performed by a student in the employ of a school, college or university specified in section 40.41 (6) (c) of the statutes on July 1, 2000.”.

1795. Page 1589, line 4: after that line insert:

“(1p) WISCONSIN RETIREMENT SYSTEM. The treatment of section 40.03 (2) (g) of the statutes first applies to statements sent to participants in the Wisconsin retirement system on the first day of the 7th month beginning after the effective date of this subsection.

(2p) DEFERRED COMPENSATION PROGRAM. The treatment of section 40.82 (3) of the statutes first applies to statements sent to individuals who participate in a deferred compensation plan offered under subchapter VII of chapter 40 of the statutes on the first day of the 7th month beginning after the effective date of this subsection.”.

1 **1796.** Page 1589, line 4: after that line insert:

2 “(1e) STATE EMPLOYE GROUP HEALTH INSURANCE. The treatment of section 40.05
3 (4) (a) 2. of the statutes first applies to any teacher described under section 40.02 (25)
4 (b) 1m. of the statutes who is hired on the effective date of this subsection.”.

5 **1797.** Page 1589, line 5: after that line insert:

6 “(1f) QUALIFIED ECONOMIC OFFERS; COST OF COMPENSATION AND FRINGE BENEFIT
7 INCREASES. The treatment of section 111.70 (1) (nc) 1. c. of the statutes first applies
8 to the calculation of the cost of compensation and fringe benefit increases for periods
9 of time beginning after June 30, 2001.”.

10 **1798.** Page 1589, line 5: after that line insert:

11 “(3g) SUBMISSION OF QUALIFIED ECONOMIC OFFERS. The treatment of section
12 111.70 (1) (dm) and (4) (cm) 5s. of the statutes first applies to petitions for arbitration
13 filed under section 111.70 (4) (cm) 6. of the statutes relating to collective bargaining
14 agreements that cover periods of time beginning after June 30, 2001.”.

15 **1799.** Page 1589, line 6: after that line insert:

16 “(3p) RECORDING OF HOURS WORKED DURING A PAY PERIOD. The treatment of section
17 230.04 (19m) of the statutes first applies to forms used by a state agency to record
18 hours worked by an employe for the pay period closest to the first day of the 7th
19 month beginning after the effective date of this subsection.”.

20 **1800.** Page 1589, line 14: after that line insert:

21 “(1g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV
22 of chapter 224 [precedes 224.90] of the statutes first applies to nondepository small
23 business lenders on the effective date of this subsection.”.

24 **1801.** Page 1592, line 7: after that line insert:

1 “(12t) MEDICAL ASSISTANCE DIVESTMENT. The treatment of section 49.453 (4)
2 (title), (am) and (c) of the statutes, the renumbering and amendment of section
3 49.453 (4) (a) of the statutes and the creation of section 49.453 (4) (a) 1. and 2. of the
4 statutes first apply to transfers made on the effective date of this subsection.”.

5 **1802.** Page 1592, line 16: after that line insert:

6 “(13z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section
7 51.48 of the statutes first applies to a minor who is tested for the presence of alcohol
8 or other drugs in the minor’s body on the effective date of this subsection.”.

9 **1803.** Page 1592, line 16: after that line insert:

10 “(14g) CONFIDENTIALITY OF ABUSE AND NEGLECT REPORTS AND RECORDS. The
11 treatment of section 48.981 (7) (b) of the statutes first applies to abuse and neglect
12 reports and records, as defined in section 48.981 (1) (f) of the statutes, that are
13 disclosed on the effective date of this subsection.”.

14 **1804.** Page 1592, line 16: after that line insert:

15 “(13f) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8)
16 (mb) and 46.46 (1) of the statutes first applies to income augmentation activities
17 performed under section 46.46 (1) of the statutes on the effective date of this
18 subsection, but does not affect any contract to perform income augmentation
19 activities under section 46.46 (1), 1997 stats., entered into before the effective date
20 of this subsection.”.

21 **1805.** Page 1592, line 16: after that line insert:

22 “(d) The treatment of section 149.165 (2) (e) of the statutes first applies to
23 premiums payable under policies issued or renewed on the effective date of this
24 paragraph.”.

1806. Page 1592, line 23: after that line insert:

“(2n) COPAYS FOR COVERAGE OF ALCOHOLISM AND OTHER DISEASES. The treatment of section 632.89 (2) (a) 2., (b) 1., (c) 2. b., (d) 2. and (dm) 2. of the statutes first applies to policies issued or renewed on the effective date of this subsection.”.

1807. Page 1592, line 23: after that line insert:

“(4g) POINT-OF-SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes and the creation of section 609.10 (3) (b) of the statutes first apply to all of the following:

(a) Except as provided in paragraph (b), health maintenance organizations and preferred provider plans that are issued or renewed on the effective date of this paragraph.

(b) Health maintenance organizations and preferred provider plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with the treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes and the creation of section 609.10 (3) (b) of the statutes that are issued or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified or renewed.”.

1808. Page 1592, line 23: after that line insert:

1 “(1m) REFERRALS FOR OBSTETRIC OR GYNECOLOGIC SERVICES.

2 (a) Except as provided in paragraph (b), if a policy or certificate that is affected
3 by the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes
4 contains terms or provisions that are inconsistent with the treatment of sections
5 609.05 (2) and (3) and 609.22 (4m) of the statutes, the treatment of sections 609.05
6 (2) and (3) and 609.22 (4m) of the statutes first applies to that policy or certificate
7 upon renewal.

8 (b) The treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes
9 first applies to policies and group certificates covering employees who are affected by
10 a collective bargaining agreement containing provisions that are inconsistent with
11 the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes that are
12 issued or renewed on the earlier of the following:

13 1. The day on which the collective bargaining agreement expires.

14 2. The day on which the collective bargaining agreement is extended, modified
15 or renewed.”.

16 **1809.** Page 1594, line 7: delete lines 7 to 9.

17 **1810.** Page 1595, line 5: after that line insert:

18 “(4g) SCHOOL PERFORMANCE REPORTS. The renumbering and amendment of
19 section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the
20 statutes first apply to reports required, under section 115.38 (2) of the statutes, to be
21 distributed by January 1, 2002.”.

22 **1811.** Page 1595, line 8: after that line insert:

23 “(6j) SUMMER CLASSES; MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of
24 section 121.004 (8) of the statutes, the renumbering and amendment of section

1 119.23 (1) of the statutes and the creation of section 119.23 (1) (b) and (c), (4) (a) and
2 (4m) of the statutes first apply to payments made for academic summer classes and
3 laboratory periods attended in 1999.”.

4 **1812.** Page 1595, line 14: after that line insert:

5 “(7x) SCHOOL BREAKFAST PROGRAM. The treatment of sections 20.255 (2) (cm) and
6 115.341 of the statutes first applies to the distribution of school breakfast program
7 aid in the school year beginning after the effective date of this subsection.”.

8 **1813.** Page 1595, line 14: after that line insert:

9 “(8c) COMPENSATION AND FRINGE BENEFIT INCREASES FOR NONREPRESENTED
10 PROFESSIONAL SCHOOL DISTRICT EMPLOYEES. The treatment of section 118.245 (3) of the
11 statutes first applies to the calculation of the cost of compensation and fringe benefit
12 increases for periods of time beginning after June 30, 2001.”.

13 **1814.** Page 1595, line 17: after that line insert:

14 “(1g) TARIFF FILINGS. The treatment of sections 196.19 (1m) (b) and (e) and
15 196.77 of the statutes first applies to tariffs filed on the effective date of this
16 subsection.”.

17 **1815.** Page 1595, line 17: after that line insert:

18 “(1m) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section
19 189.02 (7) of the statutes first applies to personnel or budget requests submitted to
20 the public service commission on the effective date of this subsection.”.

21 **1816.** Page 1595, line 17: after that line insert:

22 “(1zt) HIGH-VOLTAGE TRANSMISSION LINES. The treatment of section 196.491 (3)
23 (d) 3r. and 3t. of the statutes first applies to applications for certificates of public

1 convenience and necessity that are filed with the public service commission on the
2 effective date of this subsection.”.

3 **1817.** Page 1595, line 21: after that line insert:

4 “(2g) DISCLOSURES AND REPRESENTATIONS FOR CERTAIN SALES. The treatment of
5 section 440.947 of the statutes first applies to sales or offers to sell that are made on
6 the effective date of this subsection.”.

7 **1818.** Page 1596, line 3: after that line insert:

8 “(1g) DEVELOPMENT ZONES INVESTMENT CREDIT IN DEVELOPMENT OPPORTUNITY
9 ZONES.

10 (a) The treatment of sections 71.07 (2di) (a) (intro.) and 1., (d) 1., (f), (g) and (i),
11 71.28 (1di) (a) (intro.) and 1., (d) 1., (f), (g) and (j), 71.47 (1di) (a) (intro.) and 1., (d)
12 1., (f), (g) and (i), 560.70 (7) and 560.795 (3) (d) of the statutes first applies to taxable
13 years beginning on January 1, 2000.

14 (b) The treatment of sections 71.07 (2dx) (b) (intro.), (c) and (d), 71.28 (1dx) (b)
15 (intro.), (c) and (d) and 71.47 (1dx) (b) (intro.), (c) and (d) of the statutes first applies
16 to taxable years beginning on January 1, 1999.”.

17 **1819.** Page 1596, line 3: after that line insert:

18 “(1zt) TRANSMISSION COMPANY LICENSE FEE. The treatment of sections 76.28 (1)
19 (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) and 196.485 (1) (ge) of the
20 statutes first applies to taxable years beginning on January 1 of the year in which
21 this subsection takes effect, except that if this subsection takes effect after July 31
22 the treatment of sections 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d)
23 and (e) of the statutes first applies to taxable years beginning on January 1 of the
24 year following the year in which this subsection takes effect.”.

1 **1820.** Page 1596, line 15: delete “2000” and substitute “2001”.

2 **1821.** Page 1597, line 18: after that line insert:

3 “(7c) MASS TRANSIT FRINGE BENEFIT EXCLUSION. The treatment of section 71.05
4 (6) (b) 31. of the statutes first applies to taxable years beginning on January 1 of the
5 year following the year in which this subsection takes effect.”.

6 **1822.** Page 1598, line 4: delete lines 4 to 7 and substitute:

7 “(13g) CHANGES TO METHOD OF TAXING CERTAIN TRUSTS. The treatment of sections
8 71.02 (1) and 71.14 (3) (intro.) and (3m) of the statutes first applies to taxable years
9 beginning on January 1, 1999.”.

10 **1823.** Page 1598, line 8: delete lines 8 to 13.

11 **1824.** Page 1598, line 13: after that line insert:

12 “(14g) LOTTERY AND GAMING CREDIT. The treatment of section 79.10 (10) (bn) of
13 the statutes first applies to the property tax assessments as of January 1, 1999.”.

14 **1825.** Page 1598, line 19: after “71.01 (16)” insert “, 71.05 (6) (b) 29.”.

15 **1826.** Page 1599, line 1: before that line insert:

16 “(20ty) ARMED FORCES MEMBER TAX CREDIT. The treatment of sections 71.07 (6m),
17 71.08 (1) (intro.) (as it relates to the armed forces member tax credit) and 71.10 (4)
18 (cm) of the statutes first applies to taxable years that begin on January 1, 2000.”.

19 **1827.** Page 1599, line 2: after “71.08 (1) (intro.)” insert “(as it relates to the
20 sustainable urban development zone credit)”.

21 **1828.** Page 1599, line 17: after that line insert:

22 “(22dd) ACTIVITIES THAT DO NOT CREATE NEXUS. The treatment of section 71.23
23 (3) (d) of the statutes first applies to taxable years beginning on January 1, 2000.”.

1 **1829.** Page 1599, line 20: after that line insert:

2 “(22fd) TAXABLE SERVICES. The treatment of sections 71.04 (7) (dr) and 71.25 (9)
3 (dr) of the statutes first applies to taxable years beginning on January 1, 2000.”.

4 **1830.** Page 1599, line 20: after that line insert:

5 “(22md) RECYCLING FEE. The treatment of section 79.05 (2) (c) of the statutes
6 first applies to distribution payments that are due on the 4th Monday in July, 2000.”.

7 **1831.** Page 1599, line 22: delete that line and substitute “71.22 (1r), 71.23 (1),
8 71.25 (5) (a) (intro.) and (15), 71.26 (3) (L), 71.43 (1) and 71.45 (6) of the statutes first
9 applies”.

10 **1832.** Page 1600, line 3: after that line insert:

11 “(23b) MOTION PICTURE THEATER EQUIPMENT. The treatment of section 70.111 (24)
12 of the statutes first applies to the property tax assessments as of January 1, 2000.”.

13 **1833.** Page 1600, line 3: after that line insert:

14 “(22tx) DIGITAL BROADCASTING EQUIPMENT. The treatment of section 70.111 (25)
15 of the statutes first applies to the property tax assessment as of January 1, 2000.”.

16 **1834.** Page 1600, line 3: after that line insert:

17 “(23am) AGRICULTURAL USE VALUE. The treatment of sections 70.32 (2) (c) 1. and
18 74.48 (2) and (3) of the statutes, the renumbering of 74.48 (1) of the statutes and the
19 creation of 74.48 (1) (b) of the statutes first apply to property that is assessed as of
20 January 1, 2000.”.

21 **1835.** Page 1600, line 4: after “sections” insert “70.11 (39),”.

22 **1836.** Page 1600, line 6: after that line insert:

1 “(23g) ELECTRICITY SOLD FOR FARMING. The treatment of section 77.54 (30) (a)
2 3. of the statutes first applies to electricity sold for use in farming on May 1, 2000.”.

3 **1837.** Page 1600, line 6: after that line insert:

4 “(23cm) SITUS OF LOTTERY INCOME. The treatment of sections 71.04 (1) (a) and
5 (9), 71.05 (6) (b) 9., 71.23 (1) and (2), 71.25 (5) (b), 71.26 (1) (a), 71.362 (1) and (2),
6 71.43 (1) and (2), 71.45 (1), (2) (a) 15. and (3r), 71.46 (3) and 71.67 (4) (a) of the statutes
7 first applies to taxable years beginning on January 1, 1999.”.

8 **1838.** Page 1600, line 6: after that line insert:

9 “(23em) RECYCLING SURCHARGE. The treatment of sections 77.92 (4) and (4r),
10 77.93 (intro.), (1) and (4), 77.94 (1) (intro.), (a), (b) and (c), (3) and (4), 77.945 and 77.96
11 (6), chapter 77 (title) and subchapter VII (title) of chapter 77 of the statutes first
12 applies to taxable years beginning after December 31, 1999.”.

13 **1839.** Page 1600, line 6: after that line insert:

14 “(23h) PROPERTY TAX EXEMPTION REPORT FILING FEE. The treatment of section
15 70.337 (5) of the statutes first applies to filing fees that are due on March 31, 2000.”.

16 **1840.** Page 1601, line 5: after that line insert:

17 “(1m) CONFIDENTIALITY OF CUSTOMER LISTS. The treatment of section 41.11 (4m)
18 of the statutes first applies to requests for information from customer lists that are
19 received on the effective date of this subsection.”.

20 **1841.** Page 1601, line 20: after that line insert:

21 “(4mg) LOCAL ROADS IMPROVEMENT PROGRAM. The treatment of sections 86.31 (2)
22 (b) and (d) 1., 1m., 2. and 3. and (6) (g) and (h) of the statutes, the renumbering and
23 amendment of section 86.31 (2) (d) 5. of the statutes and the creation of section 86.31
24 (2) (d) 5. a. and b. of the statutes first apply to bids that are solicited and to work

1 performed by county highway departments on the effective date of the emergency
2 rules promulgated under SECTION 9350 (2bgm) (b) of this act.”.

3 **1842.** Page 1601, line 20: after that line insert:

4 “(4md) FULLY ALLOCATED COST METHODOLOGY.

5 (a) The treatment of section 85.20 (8) of the statutes first applies to bids
6 solicited on the effective date of the emergency rules promulgated under SECTION
7 9150 (2bm) (b) of this act.

8 (b) The treatment of section 85.20 (1) (g) of the statutes first applies to services
9 contracted under a bid solicited on the effective date of the emergency rules
10 promulgated under SECTION 9150 (2bm) (b) of this act.”.

11 **1843.** Page 1601, line 20: after that line insert:

12 “(4g) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.

13 (a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes,
14 the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the
15 statutes and the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes
16 first apply to licenses and permits applied for on the effective date of this paragraph.

17 (b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and
18 (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits
19 applied for on the effective date of this paragraph.

20 (4h) OPERATORS’ LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The
21 treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued
22 on January 1, 2000, or on the day after the effective date of this subsection, whichever
23 is later.”.

24 **1844.** Page 1601, line 20: after that line insert:

1 “(4t) LOCAL SEGREGATED ACCOUNT.

2 (a) The treatment of section 86.30 (11) (a) (intro.) and (b) of the statutes first
3 applies to aids payable under section 86.30 of the statutes, as affected by this act, for
4 calendar year 2001.

5 (b) The treatment of section 86.30 (11) (a) 2. of the statutes first applies to
6 moneys received or allocated for local highway purposes on January 1, 2001.

7 (c) The treatment of section 85.20 (6m) (a) (intro.) and (b) of the statutes first
8 applies to aids payable for calendar year 2001 under a contract under section 85.20
9 of the statutes.

10 (d) The treatment of section 85.20 (6m) (a) 2. of the statutes first applies to
11 moneys received or allocated for a mass transit system, as defined in section 85.20
12 (1) (e) of the statutes, on January 1, 2001.”.

13 **1845.** Page 1601, line 20: after that line insert:

14 “(4z) TRANSPORTATION ENHANCEMENT ACTIVITY AND SURFACE TRANSPORTATION
15 DISCRETIONARY GRANTS. The treatment of sections 85.026 (3) and 85.243 (2) (a) and
16 (ar) of the statutes first applies to grants awarded during the 2001–03 fiscal
17 biennium.”.

18 **1846.** Page 1601, line 23: substitute “December” for “October”.

19 **1847.** Page 1602, line 6: after that line insert:

20 “(10d) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
21 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes act first applies
22 to salvage vehicles acquired by a dealer on the effective date of this subsection.”.

23 **1848.** Page 1602, line 6: after that line insert:

1 “(10c) WEIGHT LIMITS FOR MILK TRUCKS. The treatment of section 348.15 (3) (bg)
2 of the statutes first applies to motor vehicles operated on the effective date of this
3 subsection.”.

4 **1849.** Page 1602, line 6: after that line insert:

5 “(11g) SUSPENSION OF OPERATING PRIVILEGES FOR FAILURE TO PAY CERTAIN
6 FORFEITURES. The treatment of sections 345.47 (1) (b), 800.09 (1) (c), 800.095 (4) (b)
7 4., 938.17 (2) (d), 938.34 (8) and 938.343 (2) of the statutes first applies to forfeitures
8 imposed on the first day of the second month beginning after publication.”.

9 **1850.** Page 1602, line 7: after that line insert:

10 “(1g) UNCLAIMED PROPERTY. The renumbering of section 177.01 (10) of the
11 statutes and the creation of section 177.01 (10) (b) of the statutes first apply to credit
12 balances issued by a business association on January 1, 1998.”.

13 **1851.** Page 1603, line 18: after that line insert:

14 “(9c) DISTRIBUTION OF WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. The
15 treatment of section 49.143 (2) (es) of the statutes, as created by this act, first applies
16 to contracts entered into or renewed on the effective date of this subsection.”.

17 **1852.** Page 1603, line 18: after that line insert:

18 “(9yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

19 (a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION
20 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025r), 632.897 (10) (a) 3., 767.045
21 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b), 767.115
22 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2) (a), (am),
23 (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and (jm), 767.242,
24 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b) and (5), 767.253, 767.254 (2) (intro.),

767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1), 767.29
(1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf), 767.32
(1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45 (7),
767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and (5p),
767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3., 808.075
(4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and amendment of
section 767.24 (4) (a) of the statutes and the creation of section 767.24 (4) (a) 3. of the
statutes first apply to actions affecting the family, including actions to enforce or
modify a judgment or order in an action affecting the family previously granted, that
are commenced on the effective date of this paragraph.

(b) The treatment of sections 767.25 (6) (intro.) and 767.261 (intro.) of the
statutes first applies to arrearages existing or accruing on the effective date of this
paragraph, regardless of when the order on which the arrearages are based was
entered.”.

1853. Page 1603, line 24: after that line insert:

“(4cs) REPRESENTATION IN PROCEEDINGS INVOLVING CHILDREN IN NEED OF
PROTECTION OR SERVICES. The treatment of sections 48.20 (8), 48.21 (3) (d), 48.23 (3)
and (4) and 48.27 (4) (a) 2. of the statutes, the renumbering and amendment of
section 48.23 (2) of the statutes and the creation of section 48.23 (2) (b) of the statutes
first apply to proceedings commenced under section 48.13 of the statutes on the
effective date of this subsection.

(4ct) REPRESENTATION IN PROCEEDINGS INVOLVING JUVENILES IN NEED OF
PROTECTION OR SERVICES. The treatment of sections 938.20 (8), 938.21 (3) (d), 938.23
(2), (3) and (4), 938.243 (1) (e) and 938.27 (4) (b) of the statutes first applies to

1 proceedings commenced under section 938.13 of the statutes on the effective date of
2 this subsection.”.

3 **1854.** Page 1604, line 8: delete lines 8 to 14.

4 **1855.** Page 1604, line 21: after that line insert:

5 “(6d) VIDEO GAMBLING MACHINES. The treatment of section 945.05 (1) (intro.) and
6 (1m) of the statutes, the renumbering and amendment of sections 945.03 and 945.04
7 of the statutes and the creation of sections 945.03 (2m) and 945.04 (2m) of the
8 statutes first apply to offenses committed on the effective date of this subsection.

9 (6e) REVOCATION OF CLASS “B” AND “CLASS B” LICENSES. The treatment of section
10 945.041 (11) of the statutes first applies to revocation proceedings commenced on the
11 effective date of this subsection.”.

12 **1856.** Page 1604, line 25: after that line insert:

13 “(7mb) PROMISSORY NOTES ISSUED BY COUNTIES, UNFUNDED PENSION LIABILITIES.
14 The treatment of section 67.04 (5) (b) 4. of the statutes first applies to promissory
15 notes that are issued on the effective date of this subsection.”.

16 **1857.** Page 1604, line 25: after that line insert:

17 “(7g) DISTRIBUTION OF FREE NEWSPAPERS. The treatment of section 134.48 of the
18 statutes first applies to contracts entered into or renewed on the effective date of this
19 subsection.”.

20 **1858.** Page 1604, line 25: after that line insert:

21 “(7c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the
22 statutes, the renumbering and amendment of section 135.02 (3) of the statutes and
23 the creation of section 135.02 (3) (b) of the statutes first apply to dealerships as
24 defined in section 135.02 (3) of the statutes, as affected by this act, in effect on

1 October 1, 1998, and to any cause of action under chapter 135 of the statutes for
2 which final judgment has not been entered on or before the day after publication.”.

3 **1859.** Page 1605, line 1: before that line insert:

4 “(7m) STATE PROCUREMENT OF TONER CARTRIDGES. The treatment of sections
5 16.70 (13m) and 16.74 (5m) of the statutes, the renumbering of section 16.72 (2) (e)
6 of the statutes and the creation of section 16.72 (2) (e) 2. of the statutes first apply
7 to specifications for notices inviting bids or competitive sealed proposals for
8 purchases and to specifications for orders for purchases placed on the first day of the
9 7th month beginning after publication.”.

10 **1860.** Page 1605, line 5: delete lines 5 and 6.

11 **1861.** Page 1605, line 15: delete “(2),” and substitute “(2) and”.

12 **1862.** Page 1605, line 16: delete “(kh) and (ki)” and substitute “(cm) and (cn)”.

13 **1863.** Page 1605, line 16: delete “and (6)”.

14 **1864.** Page 1605, line 21: after that line insert:

15 “(7h) GRANT TO HERITAGE MILITARY MUSIC FOUNDATION. The treatment of section
16 20.505 (1) (kc) (by SECTION 520n) of the statutes and the repeal of sections 16.853 and
17 20.505 (1) (kw) of the statutes take effect on July 1, 2001.”.

18 **1865.** Page 1605, line 21: after that line insert:

19 “(7wx) CENSUS EDUCATION BOARD. The repeal of section 15.105 (27) of the
20 statutes takes effect on July 1, 2000.”.

21 **1866.** Page 1606, line 6: after that line insert:

22 “(2g) MEAT AND POULTRY INSPECTION. The treatment of section 97.42 (4) (intro.)
23 and (4m) of the statutes takes effect on January 1, 2000.”.

1 **1867.** Page 1606, line 6: after that line insert:

2 “(6m) EXCLUSIVE AGRICULTURAL ZONING. The treatment of section 91.75 (1) of the
3 statutes takes effect on January 1, 2001.”.

4 **1868.** Page 1606, line 6: after that line insert:

5 “(2m) CONSUMER TELECOMMUNICATION SERVICES REPORT. The treatment of section
6 93.07 (7) (e) of the statutes takes effect on January 1, 2000.”.

7 **1869.** Page 1606, line 16: delete “(3),”.

8 **1870.** Page 1606, line 17: after “101.651” insert “(3) and”.

9 **1871.** Page 1606, line 18: after “101.651” insert “(3) (title) and (b) and”.

10 **1872.** Page 1606, line 18: after “(3g)” insert “and (3j)”.

11 **1873.** Page 1606, line 19: delete “January 1” and substitute “May 1”.

12 **1874.** Page 1607, line 11: delete “101.9223”.

13 **1875.** Page 1607, line 14: after “(title), (1), (2)” insert “(am) 4. (by SECTION
14 2342Lo),”.

15 **1876.** Page 1607, line 15: delete “218.12 (title), (1), (2) (a), (b) and (d)” and
16 substitute “218.12 (title), (1), (2) (a) (by SECTION 2342ps), (am) 1. (by SECTION 2342pu)
17 and 3. (by SECTION 2342pw), (b) and (d)”.

18 **1877.** Page 1607, line 17: after “341.04 (1) (intro.),” insert “341.05 (26),”.

19 **1878.** Page 1607, line 21: after “9101 (3x),” insert “9110 (7n),”.

20 **1879.** Page 1607, line 21: delete “, 9201 (2x) and 9310 (3x)” and substitute
21 “and 9201 (2x)”.

22 **1880.** Page 1607, line 24: delete “(cn),”.

1881. Page 1608, line 5: before “108.07 (8) (b),” insert “20.455 (5) (i),”.

1882. Page 1608, line 8: after that line insert:

“(7m) DISBURSEMENT OF HUBER WAGES. The treatment of sections 303.08 (5) (a), (b) and (c) of the statutes takes effect on January 1, 2000.”.

1883. Page 1608, line 8: after that line insert:

“(6xt) SECURED GROUP HOMES.

(a) The renumbering and amendment of section 48.66 (1) of the statutes, the amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 46.036 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a) 1., 48.66 (2m) (am) 1., 48.66 (2m) (b) (by SECTION 1156d), 48.66 (2m) (bm) (by SECTION 1157d), 48.68 (1), 48.69, 48.715 (1), 48.715 (2) (a), 48.715 (2) (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7), 49.857 (1) (d) 3., 51.05 (2), 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e), 51.35 (3) (g), 73.0301 (1) (d) 2., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 165.76 (2) (b) 2., 252.15 (1) (ab), 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03 (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (7) (a) 3., 301.263 (3), 301.36 (1), 301.37 (1), 301.45 (1) (b), 301.45 (1) (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02 (15m), 938.02 (17), 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3) (a) 2., 938.08 (3) (b), 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22 (1) (a), 938.22 (1) (b), 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22 (7) (a), 938.22 (7) (b), 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a), 938.33 (3r), 938.34 (4m) (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c), 938.345 (1) (a), 938.355 (1), 938.357 (3), 938.357 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m),

1 938.51 (4) (intro.), 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b),
2 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7)
3 (b), 980.015 (2) (b), 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and
4 980.04 (1) of the statutes and the creation of sections 51.01 (14k), 51.01 (14m), 51.01
5 (14p), 301.01 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the
6 statutes and SECTION 9311 (5xt) of this act take effect on January 1, 2000.

7 (b) The repeal and recreation of section 51.35 (3) (c) and (e) of the statutes takes
8 effect on December 1, 2001.”.

9 **1884.** Page 1608, line 15: after that line insert:

10 “(1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE. The repeal of sections 13.94 (1)
11 (p), 15.07 (1) (b) 22., 15.165 (5) and 20.515 (2) (title), (a), (b) and (g) and subchapter
12 X of chapter 40 of the statutes and the amendment of section 40.02 (26) (intro.) (by
13 SECTION 930wm) and (28) (by SECTION 931c) of the statutes take effect on January 1,
14 2010.”.

15 **1885.** Page 1608, line 15: after that line insert:

16 “(1h) APPROPRIATION FOR PROVISION OF BENEFITS. The repeal of section 20.515 (1)
17 (v) of the statutes takes effect on July 1, 2001.”.

18 **1886.** Page 1608, line 19: after that line insert:

19 “(2g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV
20 of chapter 224 [precedes 224.90] of the statutes and the treatment of SECTION 9319
21 (1g) of this act take effect on the first day of the 6th month beginning after
22 publication.”.

23 **1887.** Page 1608, line 21: delete “EXECUTIVE BRANCH AGENCIES” and substitute

24 “DEPARTMENT OF WORKFORCE DEVELOPMENT”.

1 **1888.** Page 1610, line 16: delete “2003” and substitute “2002”.

2 **1889.** Page 1610, line 16: after that line insert:

3 “(12z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section
4 51.48 of the statutes and SECTION 9323 (13z) of this act take effect on the first day of
5 the 2nd month beginning after publication.”.

6 **1890.** Page 1610, line 16: after that line insert:

7 “(14d) FUNERAL AND BURIAL EXPENSES.

8 (a) The treatment of section 49.30 (1) (b) (by SECTION 1355w) of the statutes
9 takes effect on January 1, 2001.

10 (b) The treatment of section 49.30 (1) (b) (by SECTION 1355wb) of the statutes
11 takes effect on July 1, 2001.”.

12 **1891.** Page 1610, line 16: after that line insert:

13 “(14g) COMMUNITY MARRIAGE POLICY PROJECT. The repeal of section 49.175 (1) (ze)
14 10. of the statutes takes effect on October 1, 2003.”.

15 **1892.** Page 1610, line 16: after that line insert:

16 “(12m) GRANT FOR ST. CLARE HEALTH MISSION. This treatment of section 20.435
17 (4) (gp) (by SECTION 377h) of the statutes takes effect on July 1, 2001.”.

18 **1893.** Page 1610, line 16: after that line insert:

19 “(13t) PERSONAL NEEDS ALLOWANCE. The treatment of section 49.45 (7) (a) of the
20 statutes takes effect on July 1, 2001.”.

21 **1894.** Page 1610, line 16: after that line insert:

22 “(12xx) CAREGIVER BACKGROUND CHECKS. The treatment of sections 48.685 (2)
23 (bg) (by SECTION 1170n), (4m) (b) (intro.) (by SECTION 1173j) and (5m) (by SECTION

1 1176g) and 50.065 (4m) (b) (intro.) (by SECTION 1521zi) of the statutes takes effect on
2 February 1, 2000.”.

3 **1895.** Page 1610, line 22: after that line insert:

4 “(4g) POINT-OF-SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag)
5 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c) and (2) and 609.20 (3) and
6 (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the
7 statutes and the creation of section 609.10 (3) (b) of the statutes and SECTION 9326
8 (4g) of this act take effect on the first day of the 18th month beginning after
9 publication.”.

10 **1896.** Page 1611, line 25: delete that line.

11 **1897.** Page 1612, line 1: delete lines 1 to 4 and substitute:

12 “(5vw) AQUATIC NUISANCE SPECIES. The repeal of section 30.1255 (4) of the
13 statutes takes effect on July 1, 2001.

14 (5vx) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION AND AQUATIC NUISANCES.
15 The repeal and recreation of section 20.370 (5) (cq) of the statutes takes effect on July
16 1, 2001.”.

17 **1898.** Page 1612, line 23: delete lines 23 to 25.

18 **1899.** Page 1613, line 3: after that line insert:

19 “(10n) GROUP FISHING LICENSE. The treatment of sections 29.024 (2g) (a) 1.,
20 29.193 (5) and 29.563 (3) (a) 7m. of the statutes takes effect on the 1st day of the 7th
21 month beginning after publication.”.

22 **1900.** Page 1613, line 3: after that line insert:

1 “(11z) STEWARDSHIP DEBT SERVICE. The repeal of section 20.370 (7) (au) of the
2 statutes and the repeal and recreation of sections 20.370 (7) (aa) and 20.866 (1) (u)
3 of the statutes take effect on July 1, 2001.”.

4 **1901.** Page 1613, line 3: after that line insert:

5 “(11m) RECYCLING AND ENVIRONMENTAL FEES. The treatment of sections 25.49 (3),
6 289.645 and 289.67 (1) (cm) and (cp) of the statutes takes effect on January 1, 2000.”.

7 **1902.** Page 1613, line 6: after that line insert:

8 “(1g) SCHOOL SAFETY PLANS. The creation of section 120.12 (26) of the statutes
9 takes effect on the first day of the 6th month beginning after publication.”.

10 **1903.** Page 1613, line 19: after that line insert:

11 “(2c) IRREVOCABLE BURIAL TRUSTS.

12 (a) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mm) of the
13 statutes takes effect on January 1, 2001.

14 (b) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mn) of the
15 statutes takes effect on July 1, 2001.”.

16 **1904.** Page 1613, line 19: after that line insert:

17 “(1m) REGULATION OF ATHLETIC TRAINERS. The treatment of sections 146.81 (1)
18 (eq), 180.1901 (1m) (bs), 252.14 (1) (ar) 4q., 440.08 (2) (a) 14f., 450.10 (3) (a) 5q.,
19 895.48 (1m) (intro.) and (b) of the statutes and of subchapter VI of chapter 448 of the
20 statutes take effect on the first day of the 13th month beginning after publication.”.

21 **1905.** Page 1613, line 23: delete lines 23 and 24.

22 **1906.** Page 1613, line 24: after that line insert:

23 “(3tx) WINE AND LIQUOR SALES TAX EXEMPTION. The renumbering and
24 amendment of section 139.03 (5) (b) of the statutes and the creation of section 139.03

1 (5) (b) 2. of the statutes take effect on the first day of the 2nd month beginning after
2 publication.”.

3 **1907.** Page 1613, line 24: after that line insert:

4 “(4g) TIME-SHARE PROPERTY. The treatment of sections 77.21 (1), 77.51 (4) (c) 6.,
5 77.52 (2) (a) 1. and 2. and 707.46 (3) of the statutes takes effect on the first day of the
6 2nd month beginning after publication.”.

7 **1908.** Page 1614, line 5: after that line insert:

8 “(7i) CHARTER TOUR BOATS; COMMERCIAL FISHING EQUIPMENT. The treatment of
9 section 70.111 (3) of the statutes takes effect on the January 1 after publication.”.

10 **1909.** Page 1614, line 5: after that line insert:

11 “(7fg) TAXABLE SALES. The treatment of section 77.54 (20) (c) 4m. of the statutes
12 takes effect on the first day of the 2nd month beginning after publication.”.

13 **1910.** Page 1614, line 5: after that line insert:

14 “(7g) VENDING MACHINE SALES. The treatment of section 77.54 (20) (c) 6. of the
15 statutes takes effect on July 1, 2001.”.

16 **1911.** Page 1614, line 5: after that line insert:

17 “(7v) SALES TAX ON AUCTIONS. The treatment of section 77.51 (9) (e) of the
18 statutes takes effect on the January 1 after publication.”.

19 **1912.** Page 1614, line 6: delete lines 6 to 14.

20 **1913.** Page 1614, line 14: after that line insert:

21 “(24e) LOTTERY FUND. The repeal and recreation of sections 25.75 (1) (b), 71.07
22 (3m) (b) 1. a. and (c) 3., 71.28 (2m) (b) 1. a. and (c) 3., 71.47 (2m) (b) 1. a. and (c) 3.
23 and 79.10 (11) (b) of the statutes and the creation of section 25.75 (1) (c) 3. and (3) (b)

1 and (e) of the statutes take effect on the effective date of the 2001–03 biennial budget
2 act.”.

3 **1914.** Page 1614, line 14: after that line insert:

4 “(8c) RAILROAD TRACKS AND RIGHTS-OF-WAY. The treatment of section 77.54 (44)
5 of the statutes takes effect on January 1, 2001.”.

6 **1915.** Page 1614, line 14: after that line insert:

7 “(8d) CIGARETTE TAX STAMP DISCOUNT. The treatment of section 139.32 (5) of the
8 statutes takes effect on July 1, 2000.”.

9 **1916.** Page 1614, line 24: after that line insert:

10 “(2rs) INTERNET REFERRAL SYSTEM GRANTS. The repeal of section 20.380 (1) (c) of
11 the statutes takes effect on July 1, 2001.”.

12 **1917.** Page 1615, line 9: delete lines 9 to 12.

13 **1918.** Page 1615, line 14: after that line insert:

14 “(4c) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
15 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes and SECTION 9350
16 (10d) of this act take effect on the first day of the first month beginning after
17 publication.”.

18 **1919.** Page 1615, line 14: after that line insert:

19 “(3g) GRADUATED DRIVER LICENSING.

20 (a) The treatment of sections 121.41 (2), 343.06 (1) (cm), 343.07 (1) (a), (b), (bm)
21 and (c), and (3), 343.17 (3) (a) 13., 343.19 (1) and 343.21 (1) (i) and (ir) of the statutes
22 takes effect on the first day of the 4th month beginning after publication.

23 (b) SECTION 9150 (5g) of this act takes effect on the day after publication.

(c) The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c) of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes and SECTION 9350 (4g) of this act take effect on the first day of the 10th month beginning after publication, or on September 1, 2000, whichever is later.”.

1920. Page 1615, line 20: after that line insert:

“(1g) LAWTON MINORITY UNDERGRADUATE GRANTS. The treatment of section 20.285 (4) (dd) of the statutes takes effect on July 1, 2000.”.

1921. Page 1617, line 6: after that line insert:

“(7yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

(a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025r), 632.897 (10) (a) 3., 767.045 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b), 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2) (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b), (5) and (6) (intro.), 767.253, 767.254 (2) (intro.), 767.261 (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1), 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf), 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3., 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and amendment of section 767.24 (4) (a) of the statutes and the creation

1 of section 767.24 (4) (a) 3. of the statutes and SECTION 9357 (9yo) of this act take effect
2 on the first day of the 7th month beginning after publication.

3 (b) The treatment of section 767.303 (1) (by SECTION 3065cg) of the statutes
4 takes effect on the date stated in the notice published by the secretary of
5 transportation in the Wisconsin Administrative Register under section 85.515 of the
6 statutes, or on May 1, 2001, whichever is earlier.”.

7 **1922.** Page 1617, line 13: after that line insert:

8 “(3c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the
9 statutes, the renumbering and amendment of section 135.02 (3) of the statutes and
10 the creation of section 135.02 (3) (b) of the statutes of this act take effect retroactively
11 to October 1, 1998.”.

12 **1923.** Page 1617, line 16: after that line insert:

13 “(5g) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION. The creation of
14 section 895.505 of the statutes takes effect on the first day of the 4th month beginning
15 after publication.”.

16 **1924.** Page 1617, line 16: after that line insert:

17 “(6g) TALENT INCENTIVE GRANTS; WISCONSIN HIGHER EDUCATION GRANTS TO
18 UNIVERSITY OF WISCONSIN SYSTEM STUDENTS. The treatment of section 20.235 (1) (fd)
19 and (fe) of the statutes takes effect on July 1, 2000.”.

20 **1925.** Page 1617, line 17: after that line insert:

21 “In enrolling this bill, the legislative reference bureau shall change the dollar
22 amounts shown in the schedule under section 20.005 (3) of the statutes for the
23 appropriation under section 20.865 (4) (g) of the statutes to decrease the amount

1 shown for fiscal year 1999–2000 by \$128,200 and to decrease the amount for fiscal
2 year 2000–01 by \$148,900.”.

3 **1926.** Page 1617, line 17: after that line insert:

4 “In enrolling this bill, the legislative reference bureau shall change the dollar
5 amounts shown in the schedule under section 20.005 (3) of the statutes for the
6 appropriation under section 20.865 (4) (g) of the statutes to increase the amount
7 shown for fiscal year 1999–2000 by \$47,500 and to increase the amount shown for
8 fiscal year 2000–01 by \$94,900.”.

9 (END)